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1 I guess from my perspective, I would
2 think we would all want to know how rare this
3 situation is, and maybe we'll capture it and it
4 will be in May's results and it will never ever,
5 ever, ever happen again.
6 But I think we want to be able to
7 understand exactly what the rareness and the
8 level of rareness we're talking about here.
9 MR. SRINIVASA: Mr. Cowlshaw.
10 MS. FAGAN: I would just say,
11 would that be captured in the audit report, the
12 rareness that Eva is getting at?
13 MS. CULLEN: Yes. The audit
14 report that we're working on would definitely
15 show the rareness. We don't expect anything to
16 ever show up on that audit report, but, you
17 know, for proactive purposes we are creating it.
18 MR. COWLISHAW: I guess that
19 prompts, first, a follow-up which is -- Angie,
20 this is Pat Cowlshaw. Whether that audit
21 report, which I understand from what you've
22 said, is something that -- that's an audit
23 capability that you're putting in place doesn't
24 exist today, but once it is in place, is this
25 going to be an audit report that is available to

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1 CLECs and the Commission Staff?
2 MS. CULLEN: If something does
3 appear, the commitment that we made in the call
4 last week was that if something would appear on
5 that list, we would communicate back through our
6 account team, and I believe they even gave
7 Mr. Bannecker an e-mail address where they would
8 want that type of information sent.
9 It's something that we would
10 communicate back, that this situation had
11 occurred, we should have it on the audit report
12 and what our next steps are and how we would
13 handle those particular transactions.
14 MR. COWLISHAW: And when will the
15 audit capability actually be implemented?
16 MS. CULLEN: It's being spec'd out
17 right now. I don't have an exact date for you,
18 but we expect to have something probably in the
19 next couple of weeks.
20 MR. COWLISHAW: Something in terms
21 of specs or something in terms of actually --
22 MS. CULLEN: Something in terms of
23 an actual report.
24 MR. COWLISHAW: Okay. I guess the
25 comment I was going to make was, while in a

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1 sense you're capturing the performance or could
2 be capturing performance in the time it takes to
3 return a FOC in the way that Angie is
4 describing, you're really mixing two different
5 kinds of performance issues.
6 One is FOCs aren't coming back as fast
7 as they are suppose to come back. Another is,
8 an LSR has been sent and an acknowledgment has
9 actually been returned to the CLEC, but
10 somehow -- suggestion is rarely -- but
11 somehow -- and I don't think we have resolved
12 all of these other issues -- orders get lost.
13 That's a different species of harm and
14 concern to the CLEC. And you might get a FOC
15 return report one month that says "X" thousand
16 transactions, seven hours average time to return
17 FOC, and you don't know whether that is --
18 because seven hours is what it intended to take
19 to return most of the FOCs or most of them were,
20 in fact, returned in 10 minutes except for the
21 -- and except for the 200 orders that were lost
22 all together and went into this other category.
23 Maybe the audit report fills in that
24 gap possibly -- I don't know -- but there are
25 different kinds of concerns, and that was the

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1 reason for suggesting a different measure, and
2 we didn't have our arms around particularly the
3 precise measure.
4 MS. FAGAN: Mr. Dysart.
5 MR. DYSART: What I'd like to
6 suggest is, since it happened -- we know for
7 sure it happened one time.
8 We're putting an audit report in place
9 that will be available in a couple of weeks.
10 That will give us a true indication over the
11 next few months if it happens again. And we've
12 got a process in place that we will capture,
13 maybe not exactly what the different type of
14 thing we're capturing, but it will be included
15 in the performance.
16 I would suggest waiting six months,
17 looking at the data, looking at the audit
18 report. If at that time it happens more
19 frequently, that may be the appropriate time to
20 establish a new measurement if required. If
21 not, then we really haven't lost anything,
22 because we've got the one report that will
23 reflect the occurrences that happened.
24 So rather than react to a one-time
25 situation -- at least that's what we think --

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1 let's gather some data using this audit report
2 with the accommodation to change the start time
3 on those. If it does happen again, then we can
4 make a real educated decision down the road.

5 MR. SRINIVASA: The report that is
6 coming out two weeks from now, will you file
7 that as part of this project, 20400?

8 MR. DYSART: I think we could
9 agree to file on a regular basis the occurrences
10 that we've had on this audit report. I mean,
11 obviously if it shows nothing on it, then it
12 would be --

13 MR. SRINIVASA: You are going to
14 have the next six months -- how many -- you're
15 going to have periodic audits?

16 MR. DYSART: Well, I'm assuming
17 they are going to run this report on an ongoing
18 basis. If something falls out, they will be
19 able to detect it if this situation occurs. If
20 it does occur, then we'll have a record of
21 something occurring.

22 MS. CULLEN: This is Angie. The
23 report will run daily.

24 MR. SRINIVASA: You are going to
25 run the report daily. You have to conduct an

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1 analysis to see whatever occurrence that took
2 place May 13th. It's going to happen again.
3 Right? Any time that happens you are going to
4 file a report, do an analysis, and then state
5 this happened?

6 MR. DYSART: I think we would
7 agree to do that.

8 MR. SRINIVASA: At least you will
9 have the data.

10 MR. COWLISHAW: What volume of
11 transactions are to be covered by the audit?

12 MS. CULLEN: It's every
13 transaction. The audit report that we're
14 creating is every transaction. It's a -- maybe
15 "audit" is an incorrect term. It's a matching
16 to ensure that everything that we've brought
17 into our system and received on our system has
18 gotten into the downstream processes.

19 MR. COWLISHAW: Can you say with
20 anymore precision what it is that actually would
21 be the content? Is it, like, everything you
22 return at -- I don't understand the numbers --
23 is it a 997?

24 MS. CULLEN: It doesn't even have
25 to be at the 997 level. It's actually going to

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1 be every file, every LSR, every transaction that
2 hits our system. We have the ability to -- all
3 of those files are retained on our system, and
4 we're going to extract from those some of the
5 key -- the PON number and a few other key deals
6 and match that up to the data that comes in from
7 LASR that we extract for performance measurement
8 purposes, and just do a validation that every
9 LSR, every -- it's basically an EDI/ISA level --
10 that every PON that we receive on a file via EDI
11 has been processed by LASR. It's in the LASR
12 system somewhere, and that should be the
13 complete -- from the time that it hits our
14 system to the time that it's processed, that
15 will ensure we're not -- we don't care about
16 timing or anything with this.

17 All we're making sure is that if it hit
18 our system, it got to LASR to be processed.

19 MS. CHAMBERS: Angie, this is
20 Julie. I'm sorry if I sound repetitive. When
21 you say "hits the system," is that actually it
22 hits the MBS processor or is that once it hits
23 the queue?

24 MS. CULLEN: It's actually
25 neither. It's when the file hits the MBS file

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1 management piece of it, if the file exists. It
2 may not be put on a queue. It may not hit the
3 processor to be processed.

4 But the file that is transmitted,
5 whether it's MVM or STP or secure socket layer,
6 those create a file on the system, and those
7 files will be compared. So it doesn't really --
8 it's before it would hit a queue or a processor.

9 MS. CHAMBERS: So that's really
10 the first point. I mean, prior to all these
11 discussions that we've had, you know, over the
12 past month about processing time, once it hits
13 that MBS file management system...

14 MS. CULLEN: I'm sorry. I didn't
15 hear the end of that.

16 MS. CHAMBERS: I'm just clarifying
17 that this is really -- once the file hits the
18 MBS file management system, then it would be
19 processed through the queue, and that's the
20 issue that we've been discussing the past month
21 or so.

22 MS. CULLEN: Right. The way that
23 the scenario typically works, when the file hits
24 the system, a job is automatically triggered to
25 put it on the queue, and that's that 25, 19, 16

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1 seconds that I referred to earlier; that when
2 the file hits the system, the triggers pick it
3 up and put into the queue.
4 What this would ensure is that if
5 something did go wrong with the trigger on the
6 process to put it in the queue, we'd still have
7 a record of it that was on our system. And
8 that's the best -- from what we can capture,
9 that's the best place to make sure that if it
10 hit our system, we sent it through.

11 MR. SRINIVASA: So there is a way
12 to associate, say, for example, when the LSR
13 hits the MBS, it's a file system that keeps all
14 of them together. The LSR -- the time stamp
15 when it hits the MBS, you have a time stamp
16 there.

17 MS. CULLEN: We don't have a time
18 stamp, but we have a file. Again, I can't tell
19 you time stamps through this process. This is
20 not set up to tell timing of when these things
21 occurred. It's just to simply state it exists
22 on our system. And you need to pass it through
23 to process or to take a time stamp.

24 MS. FETTIG: Okay. So how are you
25 going to change the time stamp if there is no

1 this would happen, but it would depend on the
2 scenario that we may indeed have to go back to
3 the CLEC and say, "Give us a feel for what
4 general time frame this happened so that we
5 could further investigate it," because that's
6 not something that our systems can immediately
7 track.

8 MR. SRINIVASA: So you are going
9 to do this on a -- again, you said, "till the
10 next six months," when you do the audits. How
11 do you check? Every day you are going to call
12 them?

13 MS. CULLEN: Yeah. The way that
14 this is going to be set up is that a report will
15 be generated automatically, and we believe that
16 we can set up some kind of triggering to say,
17 "If anything appears on the report, to alert
18 several people to go look at the report."

19 Again, because we're not expecting to
20 see anything on the report, we want to take it
21 an extra step to make sure that if there is
22 something on there that people are alerted via
23 pager, via e-mail, and in many different ways to
24 make sure that it gets immediate attention.

25 MS. FETTIG: This is Eva Fettig,

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1 time stamp on it?

2 MR. SRINIVASA: When did you
3 receive the file in the file system?

4 MS. CULLEN: Well, that's what we
5 have -- and that process is manual. What we
6 have to go back and do is look at the file
7 manually to determine when was it that they
8 arrived on the system.

9 That's not something that we can pick
10 up through automation and put in a measurement
11 or anything like that. That's something that a
12 human has to go back. Again, when a situation
13 like this occurs, our people went back and
14 looked to see physically what happened on the
15 system so that they could determine the proper
16 window.

17 And, of course, our conversations with
18 AT&T provided a lot of insight as well in terms
19 of when these things arrived and hit us.

20 MR. SRINIVASA: So you would have
21 to contact the CLEC that sent it? When did you
22 send it?

23 MS. CULLEN: I know that we did do
24 that in the case of AT&T. It probably depends
25 on the scenario. Again, I'm not anticipating

1 at AT&T. I guess from a qualitative
2 perspective, I'd like us to consider putting
3 this in a measure.

4 And if we never see it, in six months
5 maybe we'd, you know, pull back and say, "Well,
6 maybe we would, like, report on that on an
7 as-needed basis."

8 But from my perspective, performance
9 measures are -- these are designed to capture
10 two things. One is problems that affect
11 competition and problems that affect customers.
12 And from my perspective, this situation is one
13 that affected both.

14 And so I would like us to consider this
15 as putting it in a measure rather than just an
16 audit report that we might see.

17 MS. BOURIANOFF: Nara, just to
18 support what Eva was saying -- I mean, what
19 we're proposing are the Bell Atlantic measures
20 that were adopted as part of the consent decree
21 because of the problems they had there with the
22 lost order situation; not really much indication
23 in Bell Atlantic that it was a problem until it
24 became a huge problem.

25 We have seen some indication here that

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1 it's a problem, and we think it would make sense
2 to have the measure in place now instead of
3 later.

4 MR. SRINIVASA: Are these the ones
5 that you're proposing?

6 MR. DYSART: This is Randy Dysart.
7 I have to address one issue. A one-time
8 occurrence is not a huge problem. Also
9 performance measurements are designed to catch
10 the process. There is no indication currently
11 that this is inherent in the process.

12 It's a one-time occurrence. It's been
13 corrected. We have got a process in place to
14 track to determine whether or not it happens in
15 the future, which is exactly what a performance
16 measurement would do. So if the process is
17 there to get an indication if it happens again,
18 then at the next six-month review we develop
19 these performance measurements.

20 There is no need at this time, given a
21 one-time occurrence, that there is any need to
22 develop six or seven brand new performance
23 measurements to track something we don't know if
24 it's ever going to happen again.

25 MR. SRINIVASA: Well, is AT&T

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1 never bring that to our attention.

2 That would -- if this had never come up
3 before, that would be the scenario. If a CLEC
4 would have not received some kind of FOC or
5 reject on an order that we had acknowledged,
6 that would be the scenario.

7 And, again, this has never come up
8 before, and this was a case of 50 LSRs. We are
9 not talking about thousands. We're not talking
10 about anything that happened for days and days
11 and days. You know, we are talking about a very
12 small window when a very small window of LSRs
13 came in.

14 MR. SRINIVASA: So you are going
15 to be doing the audits. You are going to be
16 investigating and collecting the data. The
17 issue is, do we want to establish a performance
18 measure and have that collected and posted on
19 the Web site or -- I see that Bell Atlantic is a
20 weekly -- do they report that on a weekly basis?

21 MR. DYSART: Yes.

22 MR. COWLISHAW: I think they do
23 for purposes of this consent decree. The
24 language was put here to give us some measures
25 to talk about.

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1 concurring that it was just a one-time
2 occurrence?

3 MS. FETTIG: This is the only time
4 we've caught it.

5 MS. BOURIANOFF: No.

6 MS. CHAMBERS: Julie Chambers,
7 with AT&T. We're currently working through some
8 issues right now that, like I said, seem very
9 similar to the experience that Eva mentioned.

10 I understand Angie saying that it
11 appears that it might be different, but there is
12 an indication -- I also hear from MCI that they
13 are talking to their account team about similar
14 types of issues. And so it is a concern. And
15 just as Ms. Bourianoff mentioned before, we'd
16 like to go ahead and have the measure now to
17 make sure that we do capture this and that it is
18 reflected, because it's a huge impact.

19 MR. SRINIVASA: Well, let me ask
20 you. So essentially what you're saying is, it
21 might have occurred many times, but this is the
22 first time it was caught?

23 MS. CULLEN: That would be highly
24 unlikely. It would seem very unlikely that a
25 CLEC would not receive a FOC or a reject and

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1 I don't think we're wedded to each
2 detail of any of these particular measures, but
3 to bring you something that had -- you know, is
4 not something that was just made up by one of
5 the parties here, but is actually in place in
6 another jurisdiction to deal with the problem as
7 it suddenly materialized there.

8 I mean, you know, when we started this
9 out a month ago, MCI, I believe, had a measure
10 of the percent of LSRs for which a FOC is never
11 returned, or it was something along those lines,
12 and we had a discussion about that on April
13 17th.

14 And the push back from Southwestern
15 Bell at that time was, "Well, gee, you know, we
16 don't need a measure for this because this has
17 never happened." Well, in the few weeks that
18 we've had since then, it's happened. And
19 Southwestern Bell's position is, it's only
20 happened once.

21 We have other situations that are under
22 investigation and discussion right now that may
23 mean it's happened more than once. And so
24 having a representation that there may be an
25 audit report two weeks or so from now, which

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1 apparently is only going to be provided to us if
2 it contains information that Southwestern Bell
3 believes -- indicates that there is a problem,
4 is not as proactive a getting information out to
5 the CLECs and to the Commission in terms of
6 verifying that this isn't occurring as we would
7 like to see.
8 And, yeah, you don't want to make
9 measures maybe very often for things that are
10 thought to be rare occurrences, but when the
11 consequences are serious enough -- and obviously
12 they were in what happened in the Bell Atlantic
13 region -- then having a prophylactic measure can
14 be appropriate.
15 MR. WAKEFIELD: Jason Wakefield,
16 WorldCom. I just have one clarification -- and
17 I agree with what Pat has said -- but one
18 clarification with regards to the measurements
19 that are on the sheet that were handed out; and
20 that is, some of the measurements on the second
21 sheet deal with a different issue, which is the
22 posting issue.
23 And I know we'll be addressing that
24 when we get to 17.1. And on that, we do --
25 WorldCom, at least, has multiple instances of

1 with the universe of LSRs or PONs and tracking
2 them, I guess, to confirm that out of the 100
3 PONs that were received that there are in fact
4 100 either rejects or FOCs have gone back.
5 And we don't have any measure like that
6 now.
7 MR. DYSART: The question I
8 have -- and I'm sorry for being dense here, but
9 the percent of orders confirmed or rejected,
10 which is FOCs or rejects -- right? -- divided by
11 the total LSRs received -- well, I thought the
12 point of this was, we didn't receive it. We
13 don't have it in the system.
14 So how in the world is it captured?
15 MR. SRINIVASA: It's in the file,
16 but it didn't get to the MBS.
17 MR. COWLISHAW: We're talking
18 about by definition -- I mean, if they are the
19 things that are suppose to be covered by the
20 audit capability that Angie is talking about,
21 then they are items that you have received and
22 have some capability to track, though apparently
23 up until that now that hasn't been implemented.
24 I mean, there are things where you have
25 returned an acknowledgment, but then something

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1 problems with posting. I know we're talking
2 about two separate issues.
3 But when Mr. Dysart says that there are
4 limited instances of occurrences with the
5 acknowledgment or the EDI handshake or the AT&T
6 issue, that's limited to the two measurements on
7 the first page, while the measurements on the
8 second page address a separate issue, where we
9 do believe there are multiple instances of
10 problems.
11 MR. SRINIVASA: See, "Percent
12 missing notifier trouble ticket PONs cleared
13 within three business days." Explain it to me.
14 How is it related to --
15 MR. COWLISHAW: The one that is
16 most directly related to the conversation we've
17 been having, Nara, is the second one on that
18 page.
19 MR. SRINIVASA: "Percent order
20 confirmations/rejects sent within three business
21 days"?
22 MR. COWLISHAW: Right, but
23 measured as a percent of total LSRs, not as a
24 percent of FOCs coming back, which is the way we
25 measure five and seven, but actually starting

1 happens and they appear to get lost.
2 MR. BANNECKER: This is Bob
3 Bannecker. I want to make one statement. I
4 believe there has been some comments made
5 relative to some UNE-P orders.
6 In fact, AT&T sent us an e-mail
7 yesterday with three PONs that were listed that
8 they were questioning a response back to. So,
9 one, I think it was premature to make any
10 assumptions based upon something that was given
11 to us yesterday, but, when, in fact -- I just
12 got an e-mail back that, in fact, of the three,
13 two of them are rejected and one did receive a
14 FOC back, and we have the date and times that we
15 did respond back to that.
16 MS. CHAMBERS: This is Julie
17 Chambers. I did clarify that we're working
18 these issues. There was subsequent information
19 sent to Southwestern Bell this morning based on
20 some more detailed analysis that we're doing.
21 I think we indicated yesterday that
22 there was a larger number -- we were sending you
23 over a few -- as we also did some internal
24 investigation as well. So I know we looked at
25 order status on about 13 this morning, and there

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1 was no information found in order status, and
2 yet Southwestern Bell has suggested that 997s
3 were sent.

4 I think that there is an issue. I
5 never characterized --

6 MR. BANNECKER: I'm just
7 suggesting that I think at this point it's
8 premature to assume anything at this point until
9 we've done the analysis to know that's taken
10 place.

11 MR. COWLISHAW: That's the only
12 point we were trying to make.

13 MR. BOURIANOFF: I think, Bob, we
14 were just simply trying to respond to Angie's
15 repeated comment that this was a one-time
16 isolated unique occurrence.

17 MS. CULLEN: I think what Bob is
18 saying is that that is exactly the evidence at
19 this point. These other things that we are
20 researching are not related to what happened on
21 this one particular day.

22 MR. COWLISHAW: But that's your
23 interpretation.

24 MS. CULLEN: The other concern
25 that I have with the measurements is the

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1 particular scenario that we could address with
2 this report would be redundant with everything
3 else that we're doing on the other measurements.

4 MR. SRINIVASA: Well, let me ask
5 you this, Angie: Why did this happen? What was
6 the reason for that to happen?

7 MS. CULLEN: What happened was, it
8 was a human intervention where a job had to
9 be -- a job signaled one of our staff people
10 that something happened with it and they had to
11 go look at the job and restart the procedure.

12 So this is a typical IT processing
13 scenario where a job alerts and says, "Something
14 has happened. Take a look and see what went on
15 here." And when our human being went out there
16 and assessed what happened in that job, they did
17 not restart the procedure correctly, and some of
18 these transactions, while we had received them,
19 did not get passed on via the next phase of the
20 processing.

21 So it is a human error made by one of
22 our technicians as they went out to investigate
23 what happened in this particular run.

24 MR. SRINIVASA: So it happened,
25 and it could happen again.

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1 MS. CULLEN: Yeah, theoretically
2 it could happen again. That's why we're putting
3 in the report to tell us if it did happen, can
4 we detect it? And that is what we're putting
5 in.

6 MR. DYSART: I think we are at an
7 impasse. So I'd like to get it clear. I think
8 our position is clear. I'm not clear on AT&T's
9 position. I see five measures here and quite
10 frankly I'm not sure which one. From

11 Mr. Cowlshaw's comments, I know he's interested
12 in the last one, but I don't understand how all
13 five of these are applicable to the situation.

14 So I would just like someone from AT&T
15 to point out to us which ones of these are they
16 requesting or are they requesting all five?

17 MS. BOURIANOFF: Randy, I believe
18 we passed out a two-page sheet with five
19 measures on it. I believe the one that we think
20 would be most applicable to this type of
21 situation is the second one on the first page.

22 Now, we are not wed to every specific
23 of this measure, but this is the closest measure
24 that we could find that's been implemented or
25 ordered in some other state, not just something

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1 we're making up off the top of our head to
2 address this kind of problem.

3 And we would be glad to work with
4 Southwestern Bell if you have suggestions about
5 a way that this type of measure might be
6 implemented more consistently with Southwestern
7 Bell's systems.

8 MS. FAGAN: I think at this
9 time -- Angie, you said it was possible for you
10 guys to run the audit report and report to the
11 Commission if something shows up on the audit
12 report and the root-cause analysis?

13 MS. CULLEN: Yes.

14 MR. SRINIVASA: And we would like
15 for you to do that. And at the same time, can
16 you work off-line on what AT&T is proposing, the
17 No. 2 measure, how it's going to fit in
18 off-line, try to work it out, and then come back
19 and let us know?

20 MR. DYSART: We will take it back
21 and look at it internally to determine whether
22 or not we are willing to go forward with that
23 and work with AT&T after I've had a chance to
24 talk with Angie and see what we're standing on.

25 MR. SRINIVASA: Okay. I think we

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1 have discussed enough on this issue. We need to
2 move forward.

3 MR. COWLISHAW: Just to make one
4 closing request, that -- in the same spirit
5 Mr. Dysart suggests he'll look at the measure we
6 proposed or maybe even a more happy spirit -- if
7 we could receive some number of the audit
8 reports as they start being developed whether or
9 not they are showing anything bad, it might
10 enable AT&T -- I don't know about the interest
11 of other CLECs -- to look and see, is the
12 information that's being generated and captured
13 in that report, does that take the place of a
14 performance measure for an interim basis.

15 The way they are talking about it, as I
16 understand it, we would only see something if
17 they showed up with a positive lost report, and
18 so we wouldn't be seeing anything.

19 But if we actually saw some examples of
20 the audit report, it might help to decide
21 whether that measure is necessary.

22 MS. FAGAN: I believe that audit
23 report is run daily. Are you looking to receive
24 it daily or maybe weekly?

25 MR. COWLISHAW: I'm looking to

1 resolved part of it, which was in a month in
2 which Southwestern Bell might report 98 percent
3 within five hours, let's say -- okay -- then we
4 agreed that the tail measure would still apply
5 to the worst five percent of the datapoints.

6 MR. DYSART: Right.

7 MR. COWLISHAW: So you wouldn't
8 look at what was the average time for the two
9 percent. If they got 98 percent within five
10 hours, you wouldn't just look at the remaining
11 two percent.

12 You would still look at the five worst
13 percentage -- worst points, and that gives them
14 kind of a consistent universe to aim at in terms
15 of the tail. That, I think, we agreed upon, and
16 I think that's reflected effectively in the
17 language that's here.

18 The separate issue is what if they
19 miss. What if they only recorded 90 percent
20 within the five-hour time frame? Well, that's a
21 miss, and that would be whatever this is, a
22 Tier 1 low violation. They would pay the
23 related damages.

24 I think our position is -- and they
25 still -- our position would be, you would still

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1 receive some set of examples of it once it
2 starts being run, whenever that is; you know,
3 maybe a week's worth of them and then --

4 MR. DYSART: I think we'd be
5 agreeable to doing that.

6 MR. SRINIVASA: Okay.

7 MS. FAGAN: I believe there was
8 another issue relating to the benchmark in
9 Measure No. 5.

10 MR. DYSART: Yes. This is an
11 issue, I think, we discussed the last time we
12 talked about this.

13 It's basically whether these two
14 qualifications are independent of one another or
15 a two-part test or are they independent tests.
16 And I think it was AT&T's position that they
17 should be independent, that you could miss both
18 of them and you would pay damages on the tail,
19 plus pay damages on the main piece.

20 I think it was our position that the
21 second part of the test only applied if you made
22 the first part.

23 MR. SRINIVASA: Was that still an
24 issue? I thought that was resolved.

25 MR. COWLISHAW: I think we

1 look at the worst five percent of the
2 datapoints, and if those five percent had an
3 average time that was more than --

4 MR. SRINIVASA: 20 percent.

5 MR. COWLISHAW: -- more than 20
6 percent -- seven hours for a five-hour measure
7 or six hours for a five-hour measure -- but
8 that's really a separate issue that you're
9 measuring, is kind of what's the worst
10 performance, because when you count the way the
11 damages schemes work, the 90 percent -- the
12 failure for the 90 percent -- they are only
13 going to pay damages up to the 95 mark, assuming
14 we get rid of the critical Z.

15 Right now they really only pay up to
16 the 93 mark. They are not being penalized for
17 anything that's in that last five percent on the
18 basic measure, because it's given that they are
19 allowed to miss five percent.

20 And the function of this separate test
21 is, for those extra five percent we give them,
22 we've agreed that they can miss, but they are
23 not suppose to miss by too much. And if that
24 average then exceeds the 20 percent, then it's
25 our position that regardless of whether they

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1 have fallen below the five percent on the
2 general run of the FOC returns, if the tail,
3 that last five percent, has an average time of
4 worse than 20 percent of the criteria, then that
5 should be considered a violation.

6 I mean, I don't think we have any
7 quarrel with it being the same Tier 1 low, as
8 the rest of the measure, but it should count for
9 something.

10 MR. SRINIVASA: Mr. Dysart. There
11 were 100 orders --

12 MR. DYSART: I understand.

13 MR. SRINIVASA: Yeah. Again, the
14 critical Z allowance --

15 MR. DYSART: Well, I think you
16 look at the critical Z allowance historically
17 and see if the benchmarks are reasonable or not,
18 and I haven't looked at all of that. I guess
19 the issue that Mr. Cowlshaw was addressing was
20 having two measures.

21 And the reason we had this second piece
22 of the measure is so we could eliminate from
23 damages the basic overall average measurement.
24 So, in effect, what we've done is really created
25 two measures with two different payment --

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1 MR. SRINIVASA: Trying to contain
2 the --

3 MR. DYSART: I understand. I
4 understand Pat's point.

5 MR. SRINIVASA: Again, let me
6 understand this. Even there, if there was the
7 remaining five percent, if there were 100
8 orders, if those five orders had an average
9 greater than 25 percent, and, again, you would
10 calculate a percentage that was -- not all five
11 orders may be subject to that load penalty. It
12 may be just one or two. If you apply it --

13 MR. COWLISHAW: It's however you
14 apply it.

15 MR. SRINIVASA: -- how far off
16 they were. Does that make -- Mr. Dysart, so it
17 may not be all five percent you would be paying.
18 It depends on how far off were you above the 120
19 percent.

20 MR. DYSART: Right. I think we'd
21 have to -- if we're going to do that, then I
22 would like at least to talk a little bit about
23 how we do that, how we determine which ones of
24 those we pay.

25 MR. SRINIVASA: The orders that

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1 you used to calculate the tail end average.
2 MR. DYSART: Right. I understand
3 that part. I may have one outlier that throws
4 the whole average completely off. So which one
5 do I pay on?

6 MR. SRINIVASA: How far were you?

7 MR. DYSART: Let's say I'm 25
8 percent off and that the benchmark is 20
9 percent, but one order is what threw me off, not
10 all of those orders, not all five. Maybe it's
11 just one.

12 MR. COWLISHAW: I assume you would
13 be in the way that the -- the way the scheme
14 works in general, you would figure out what
15 average performance would have yielded exactly
16 the six hours or whatever and your actual
17 average was seven and the difference is some
18 percentage of six and then that's the percentage
19 of occurrences you used for -- I mean, in
20 general, that's the way we do it.

21 We got rid of the part of -- or the
22 Commission got rid of the part of the formula, I
23 think, at negotiations with Southwestern Bell,
24 but with an alternative where you just look at
25 the actual datapoint.

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1 MR. DYSART: Right. But this is a
2 situation where you're dealing with such
3 small -- hopefully very, very small samples --
4 very, very small numbers that could throw you
5 out. I hate to get in a situation where I'm
6 facing that calculation and all of the sudden
7 I'm paying for the ones I actually was under or
8 was within the 20 percent.

9 MR. SRINIVASA: Well, say 24 hours
10 is the benchmark. That means that you were
11 allowed to go up to 28.8 hours. Okay. So if
12 you calculate the last five, if the average
13 happens to be 50, because one of them was 200
14 hours maybe, you know, then if the average is
15 50, then you find the difference between 50 and
16 28.8 by what percentage you were off.

17 MR. DYSART: And multiply that by
18 the five.

19 MR. SRINIVASA: Right, by the
20 five, just like you would do any other average
21 measurement.

22 MR. DYSART: I understand. I
23 don't think -- I think we'll leave it in your
24 hands.

25 MR. SRINIVASA: Okay.

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1 MR. DYSART: I wanted you to feel
2 needed here.
3 MR. SRINIVASA: Thank you so much.
4 (Laughter)
5 MR. DYSART: We'll kick it around
6 here and maybe I can come back and help you out
7 later.
8 MR. SRINIVASA: Thank you. We'll
9 move on.
10 MS. FAGAN: Were there any other
11 issues on PM-5?
12 MR. SAUDER: This is T.J. Sauder,
13 with Birch Telecom. I just wanted to
14 reemphasize the need for definitions of simple
15 and complex orders in comparison to the retail
16 side, because there is a big difference when you
17 are comparing what is considered simple in the
18 retail and resale world when you compare that to
19 the UNE-P world.
20 An example that I have is a simple
21 hunting order that has two or three lines and
22 has hunting. On the retail and resale side,
23 that is considered a simple order, and then in
24 the UNE-P world that's considered a complex
25 order.

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1 So I wanted to try to maybe get a
2 definition that is the same as it is in resale
3 and retail or at least get it defined somewhere
4 in the document to let everybody know.
5 MS. DILLARD: This is Maria
6 Dillard, from Southwestern Bell. I believe that
7 that comment was brought up in Oklahoma, and
8 we're investigating that.
9 But for the most part, your complex
10 activity and your simple activity is identified
11 in -- and I believe it's in the LSOR and the Web
12 site as to what's considered complex versus
13 simple.
14 In your particular situation, though,
15 we do have a couple of meetings scheduled that
16 we're looking at that to see if there is any
17 difference, because we were not aware that there
18 were. So I would like to table that and come
19 back and --
20 MR. SAUDER: It's defined for
21 resale and retail in the CLEC Web site, but it's
22 not defined for UNE-P or the UNE environment.
23 MS. DILLARD: I understand.
24 That's what we're looking into, to see if there
25 is any difference, and if there is then we need

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1 to address that.
2 MR. SAUDER: And there is a
3 difference. What kind of time frame are you
4 targeting for that determination?
5 MS. DILLARD: I know we have
6 meetings scheduled next week.
7 MR. SAUDER: Okay. As long as at
8 some point it gets reflected in the performance
9 measurements, because right now a large
10 percentage of our orders are considered complex,
11 when in the same instance in retail and resale
12 it's a simple order.
13 So they are reporting on a 24-hour
14 turnaround on those when they should -- if
15 you're comparing it to the retail side, it
16 should only have five hours return FOC.
17 MR. SRINIVASA: So the benchmark
18 that should apply for those, you're saying,
19 should be five hours.
20 MR. SAUDER: Right. And right now
21 they are falling under the 24-hour bucket.
22 MS. DILLARD: Right. And that was
23 just identified to us when you-all were in
24 Oklahoma, and so we're investigating that.
25 We're pulling some data to see if that in fact

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1 is true.
2 MR. SRINIVASA: You are going to
3 let us know. We need to know that also. The
4 Staff would like to --
5 MS. DILLARD: Can we do that by
6 the end of the month?
7 MR. SAUDER: As long as it gets
8 incorporated in this proceeding, that's fine.
9 MS. FAGAN: Staff would need the
10 information before, like, the last day of June.
11 Around the 25th or so would be the latest we
12 could do it.
13 MR. SRINIVASA: Because our --
14 MS. FAGAN: Our recommendation --
15 MR. SRINIVASA: We will be taking
16 it up before the Commissioners sometime between
17 the end of this month or early part of July. So
18 we need to have that before that.
19 MS. DILLARD: We'll try to have
20 that to you by the 25th.
21 MR. SAUDER: Okay. Also, did we
22 discuss the account structure or restructure?
23 Their requesting three hours additional time on
24 orders that have account restructured.
25 MS. DILLARD: This is Maria

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1 Dillard, with Southwestern Bell. What we did is
2 we added, per the last couple of conference
3 calls, and a need to define what we meant by
4 account restructuring. In the business rules on
5 Page 14 on the second paragraph, we explain what
6 account restructuring is and why it takes
7 additional time.

8 MR. SAUDER: Where is that?

9 MS. DILLARD: In the business
10 rules of Performance Measure 5, second
11 paragraph.

12 MR. SAUDER: How is that -- for
13 reporting purposes, how is that identified when
14 LSRS require account restructuring?

15 MS. DILLARD: The service
16 representative indicates that on the account as
17 they are placing the order. This was something
18 that was developed for the LNP measures for FOC,
19 and the service representative, the tracking for
20 that, puts an indicator on there, and certainly
21 the customers have an opportunity to look at
22 order status and notice that there is a
23 restructuring that has to take place because
24 they may only be taking part of the account in
25 those instances.

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1 So you do have some validation, but it
2 is manually entered by the service rep.

3 MR. SAUDER: So when that happens,
4 does that speed up posting of orders on the
5 backend? If you're restructuring the account on
6 the front end, is that going to help posting in
7 the billing systems? I assume when you
8 restructure accounts you actually have to break
9 up the account and your billing system is the
10 main --

11 MS. DILLARD: That's correct.

12 MR. SAUDER: -- work that has to
13 be done. So that would hopefully resolve a lot
14 of the errors that are happening when we get to
15 the billing, 17.1, and posting timeliness or
16 completion?

17 MS. DILLARD: Well, for any type
18 of service order that comes in that needs to be
19 restructured, then obviously the service
20 representatives and/or the MOG system would be
21 doing that upfront.

22 So if there is -- I'm not sure that I
23 can address whether or not it will fix anything
24 further downstream, but we should be taking and
25 restructuring those accounts upfront, and if we

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1 do that, then, yes, they should post an order.

2 MR. SAUDER: So maybe we could get
3 some of our 17.1 that we're requesting to have
4 orders post in a more timely manner? We're
5 allowing for three hours more upfront so that
6 we -- so it doesn't -- we don't have the
7 problems on the backend.

8 Those should be posting in a timely
9 manner, then?

10 MR. DYSART: Well, I think you're
11 drawing a conclusion that I don't think you can
12 draw. What they are saying is, they need three
13 hours more time because it takes longer.

14 You're assuming that because they don't
15 have the time today that they are not doing it,
16 and that's not the contention. The contention
17 is they are doing it, and that's why we need
18 some additional time, not that it's not getting
19 done.

20 MR. SAUDER: Aren't you meeting
21 this performance measurement, though?

22 MS. DILLARD: Well, for all
23 categories? No, not on a consistent basis.

24 MR. DYSART: I mean, if this is an
25 issue, then we need to mark it as an issue. I

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1 understand your point.

2 MR. SAUDER: I don't necessarily
3 disagree allowing more time for the account
4 restructure, but I just want to make sure that
5 we're actually -- the CLEC is benefiting from
6 that extra time in some way.

7 It seems to me like the biggest work
8 that is being done is breaking up the billing
9 system so that account is broken up so it can
10 actually flow through on the backend and post in
11 a timely manner. And if that's not the case,
12 then I don't understand what the three extra
13 hours -- what is being done in that time frame.

14 MS. DILLARD: Well, as it's
15 stated, the extra time is required because the
16 service rep does need that time to go through
17 and restructure the account.

18 They are not able to do that in a
19 five-hour time frame that the order comes in and
20 it drops out for manual handling.

21 MR. SRINIVASA: Restructuring is
22 not done as part of the provisioning process.
23 Right? It's not after the fact that you sent
24 the --

25 MS. DILLARD: No. If it's

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1 upfront, it needs to take place as the service
2 order is being typed and then distributed.

3 MR. SAUDER: And what that allows
4 is for orders to flow through in the backend.
5 Correct?

6 MR. NOLAND: This is Brian Noland,
7 with Southwestern Bell. It takes care of the
8 end user's account with their previous provider
9 of the service that is going to remain with
10 either another CLEC or with the retail
11 Southwestern Bell.

12 MS. KNIGHT: This is Patricia
13 Knight, at Time Warner. And what I hear T.J.
14 saying is that Southwestern is getting this
15 additional time and there should be some
16 measurement of accuracy related to this
17 restructuring.

18 So it should alleviate the problems
19 with the billing. If you're getting extra time,
20 there should be some results associated with
21 that. That's what I'm hearing him saying.

22 MS. DILLARD: This is Maria
23 Dillard. I cannot make that guarantee that that
24 will fix any issues on the backend on posting.
25 Certainly if we're allowed additional time to

1 completeness, if they miss that measure, it's
2 captured there.

3 MR. SAUDER: Well, we could
4 probably talk about it when we get to that one,
5 but it doesn't capture all of the problems with
6 orders not posting in a timely manner. It only
7 deals with the subset of the problems.

8 MR. SRINIVASA: Well, when we get
9 to the billing we can get to that. But prior to
10 sending the firm order confirmation, any order
11 that requires account restructuring, they are
12 saying, is that there is an additional amount of
13 work before they can send you a firm order
14 confirmation saying "yes, on this due date it's
15 going to be converted."

16 They need -- it's treated differently
17 than the regular -- you know, if you -- full
18 migration is not a problem. If it's partial
19 migration, part of that needs to stay with them
20 or another CLEC or with you or a different CLEC.
21 So, therefore, there is some more activity.

22 They need to look it up and make sure that it
23 is --

24 MR. SAUDER: I understand that.
25 But what they say they are doing is

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1 attempt to restructure the accounts and do it
2 accurately -- not that it's being done
3 inaccurately -- but in some cases if something
4 is missed, then the extra time would allow us to
5 do some of that upfront, and hopefully would
6 improve the quality.

7 I cannot guarantee that you're going to
8 see posting timeliness greatly change by doing
9 this. We are, of course, attempting to
10 restructure all accounts, because that's the
11 process. What we're trying to do here is to
12 indicate that it takes extra time to do that, as
13 opposed to a straight conversion.

14 MR. SAUDER: I think just what
15 we're noting is, is we would like to see -- if
16 we allow this extra time on this measure, we
17 would like to see a more timely posting of
18 orders and the billing measure as a straight
19 result of allowing the three extra hours.

20 MR. SRINIVASA: Well, if the
21 billing timeliness -- if they miss that
22 measure --

23 MR. SAUDER: This is billing
24 completeness. I'm sorry.

25 MR. SRINIVASA: -- or even billing

1 restructuring their billing system. So in this
2 order, this LSR service order flows through
3 their systems when it gets to posting.

4 It will be able to post because that
5 order is already broken into two pieces. So it
6 shouldn't ever have to mess with the account
7 restructure portion of that. They have already
8 broken it into two accounts.

9 It should just flow through their
10 systems and post without falling out for manual
11 handling.

12 MR. SRINIVASA: Is it just the
13 billing? Do they have to transfer the AECN
14 number in case there are troubles on partially
15 migrated number of lines? In case there is a
16 trouble report in the future, don't they have to
17 create --

18 MR. SAUDER: That won't happen
19 until the order posts, is when that actually
20 happens.

21 MR. SRINIVASA: Prior to sending
22 the firm order confirmation, what else do they
23 need to do?

24 MS. DILLARD: Well, prior to
25 sending the firm order confirmation, what we're

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1 having to do is restructure the account. And
2 so, therefore, if you have a partial migration
3 of an account, the service representative needs
4 to go do some research, find out how many of the
5 telephone numbers are going with one CLEC versus
6 how many need to be restructured into a
7 different account, redo that whole scenario
8 before an FOC is returned, because you can't
9 (inaudible) until you're able to distribute the
10 orders.

11 Those orders will not flow through if
12 we don't restructure the account.

13 MR. SAUDER: I think when they
14 restructure the account, they are doing it in
15 the billing system. And when we have problems
16 with order posting, it's a billing system
17 problem.

18 When they restructure, it's allowing it
19 to flow through their systems and also should
20 flow through their billing system as well.

21 MR. DYSART: This is disturbing to
22 me, because you're tying -- what we want extra
23 time -- because that's the process -- because
24 the process takes longer and you're insinuating
25 that we don't do this today. That's not the

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1 case.

2 We do this today. A performance
3 measure is suppose to measure the process. If
4 there is a different procedure or more activity
5 required on a certain aspect of that process,
6 that's why we disaggregate. That's why we
7 measure it differently.

8 We have never tied anything in these
9 performance measurement discussions up until now
10 to, "I'll do this if you say it's going to
11 improve my performance on some other PM." I
12 think that that discussion really is not
13 relevant to this PM. This is what it takes. It
14 takes longer to restructure an account. That's
15 why we're asking for three more hours.

16 If that's an issue, then we need to --
17 we need to figure if it is --

18 MR. SRINIVASA: Well, is it your
19 position that it's going to take longer to
20 process and send you the FOC for a fully
21 migrated order which is a partially migrated
22 order, or is it your position it should be the
23 same regardless?

24 MR. SAUDER: Well, it's reported
25 as the same right now. I don't see them missing

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1 this performance measurement by a long margin
2 that it's causing that much of a delay.
3 MR. SRINIVASA: The issue is that
4 in the business rule, it says, "three hours
5 should be added." Okay? And also the measure
6 says, "percent firm order confirmation return
7 on-time for LSR request for partially
8 restructured account." Apparently they are not
9 reporting -- are you reporting that on a
10 disaggregated basis?

11 MR. SAUDER: I think they are just
12 adding it into the current percentages.

13 MR. SRINIVASA: Well, there are
14 different levels of disaggregation in here; you
15 know, for the UNE loops, equal res and bus,
16 complex business.

17 MR. SAUDER: If we have a simple
18 order in this instance that normally gets a FOC
19 back in five hours. If they have an account
20 restructured, it's going to be eight hours, and
21 then it's going to all be reported together, is
22 the way I read it.

23 MR. SRINIVASA: This is the new
24 language that is added. Where would you -- I
25 mean, for example, if it's a UNE loop, one to 49

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1 loops and if they need part of those, you know,
2 say 20 loops require restructuring, then for
3 those 20 loops you're going to add three hours
4 to the five-hour benchmark?

5 MS. DILLARD: Yes.

6 MR. SRINIVASA: Is that what
7 you're proposing in here?

8 MS. DILLARD: That's correct.

9 MR. COWLISHAW: And reported
10 separately or just reported --

11 MR. SRINIVASA: Combine that and
12 report that with the -- they may have some which
13 are fully migrated and some that are partially
14 migrating. How would you --

15 MS. DILLARD: You'd combine all
16 accounts for restructuring into one measure. So
17 all accounts being restructured would be
18 reported and would need to be completed 95
19 percent of the time within the eight hours.

20 MS. FETTIG: This is Eva Fettig,
21 from AT&T. Would that be disaggregated by
22 product line or just grouped as a whole reported
23 "these were all of the ones that were needed to
24 be restructured"?

25 MR. DYSART: I think what we're

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1 talking about doing is, anything that has a
2 five-hour FOC, that's the only time that three
3 hours applies, the additional three hours.
4 So, for example, simple res/bus would
5 have a disaggregation for that one, and it would
6 be eight hours for anything that we can't, and
7 then one for UNE loop and then one for LNP with
8 loop.
9 MR. SRINIVASA: So you have a tag
10 which shows somewhere in simple res and bus --
11 oh, these were restructured; therefore, the
12 eight hours applies?
13 MS. DILLARD: That's correct.
14 And, again, this is the same scenario that we
15 had for the '94 measure on LNP. LNP had already
16 had this type of disaggregation on account
17 restructure.
18 MS. CHAMBERS: This is Julie
19 Chambers, with AT&T. I'm just curious
20 whether -- the proposed level of disaggregation
21 for -- I think it was six -- and, Randy, correct
22 me if I'm wrong -- but where we were going to do
23 percent within and do mechanical/mechanical,
24 mechanical/manual.
25 Partial migrations today do not flow

1 MS. CHAMBERS: And all I was
2 suggesting, Nara, was for this other measure --
3 related measure -- since we're capturing it
4 separated out as mechanical manual, we'll see
5 the overall average as well as that reported
6 within 90 percent and within 95 percent.
7 And so then by using this diagnostic we
8 could keep Measure 5 as it was previously
9 without this additional three-hour time frame,
10 and then utilize this over the next six months
11 to see whether or not there really is a
12 difference.
13 MR. DYSART: Well, that's okay if
14 you give us the other one that we talked about
15 earlier on PM-4 -- or what was it -- PM
16 something.
17 MR. COWLISHAW: Lost orders.
18 MR. DYSART: Lost orders. Your
19 same logic applies there.
20 MS. CHAMBERS: I think we've used
21 this logic -- both of us -- in many different
22 ways, Randy.
23 MR. DYSART: I know. You're
24 right.
25 MR. COWLISHAW: Give us the lost

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1 through. So they would fall out and require the
2 LSC to FOC back to the CLEC. So would we not
3 see here under this diagnostic measure whether
4 or not there really is a need for those
5 electronically submitted -- you know -- or, I
6 guess, back on five, for simple res and bus to
7 then have an additional five hours?
8 MR. SRINIVASA: Well --
9 MS. CHAMBERS: Or three hours.
10 Sorry.
11 MR. SRINIVASA: Anytime you have a
12 partial migration, is it handled manually or is
13 it handled electronically?
14 MS. DILLARD: Yes. All partial
15 migrations are not flowing through at this time.
16 So they are all falling out for manual handling.
17 MR. SRINIVASA: So manual is 24
18 hours.
19 MS. DILLARD: Well, no. But if it
20 comes in electronically and falls out to manual
21 handling, we still have the five-hour time on
22 those. That right. It's not manually submitted
23 that we are talking about, but electronically
24 submitted.
25 MR. SRINIVASA: Okay.

1 orders, and maybe we'll give --
2 MS. FAGAN: Or you could put it in
3 Staff's hands again.
4 MR. DYSART: I could do that. I'm
5 trying to make you-all happy.
6 MR. SRINIVASA: We've already got
7 quite a few on our hands.
8 MS. KNIGHT: So the interval for
9 manual orders is still 24 regardless of whether
10 it's restructured or not?
11 MS. CHAMBERS: No. No, because
12 these are for mechanically sent, yes. But for
13 manually sent --
14 MS. KNIGHT: It's still 24 hours.
15 MS. DILLARD: That's correct.
16 MS. KNIGHT: There is not an
17 additional three hours.
18 MS. DILLARD: No.
19 MR. DYSART: I guess really it
20 boils down to the issue where it does take extra
21 time. I don't think there is anybody that
22 disagrees with that. It's a matter of -- I
23 guess it's just a matter of the eight hours
24 versus the five, but it takes extra time, and I
25 think this is one where we'd still like to have

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1 that considered.

2 MS. CHAMBERS: And, Randy -- this
3 is Julie Chambers, with AT&T -- the mechanical,
4 I think that we believe would take less time and
5 that's one of the reasons that we agreed
6 together to report it diagnostically on six. I
7 think we had originally proposed within 10
8 minutes.

9 If five is really -- I guess it's
10 percent within, but still it's -- I mean,
11 it's -- kind of the same logic would apply.

12 MS. DILLARD: Well, not if you
13 don't take a full average. I mean, if you're
14 just looking to take a full average on
15 Performance Measure 5 and, say, take the average
16 of all of those that average within five hours,
17 then that's a little different.

18 But we're talking about certain types
19 of orders that we are taking misses on on a per
20 order basis by not allowing extra time in
21 account restructuring. If you just take a
22 straight average, that is one thing, but this
23 measure is on a per order basis.

24 MR. SRINIVASA: So mechanically
25 received and mechanically returned. The overall

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1 just a suggestion, to see if it could move us
2 further on Measure 5. I think really my only
3 concern at this point with what's proposed on
4 five is that for reconciliation of raw data it
5 makes it very difficult for a CLEC to know
6 whether or not the account was involved in a
7 partial migration or not.

8 So as far as when you get to collect
9 your own data and then want to compare it with
10 Southwestern Bell's, it might appear to AT&T
11 that, you know, they are not meeting the
12 benchmarks that we've agreed to, but yet
13 Southwestern Bell will have the data to show
14 that it's a partial migration.

15 So it makes it very difficult from a
16 reconciliation standpoint.

17 MR. SRINIVASA: Another way to
18 address that is to have a disaggregation for
19 partially migrated orders and have an
20 eight-hour benchmark.

21 MR. DYSART: That's what we
22 suggest. I mean, we would do that. I think
23 AT&T would know, because if they don't take the
24 billing number, then they know that. So they
25 know if they don't do that, it requires a

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1 average you're going to report that also as part
2 of PM-6. Right?

3 MS. DILLARD: Yes.

4 MR. SRINIVASA: We still have five
5 hours if we find out it's 10 minutes, if it's
6 all mechanical.

7 MR. DYSART: Right. We'll find
8 that out.

9 MR. SRINIVASA: Right. And the
10 same thing you're doing in PM-6 is mechanically
11 receive LEX or EDI, but the FOC return, after
12 manual intervention -- that's what this partial
13 migration -- it falls under that situation.

14 So you are going to report an average
15 there also. Also you're reporting it as 90
16 percent and 95 percent level. Besides the
17 partial migration orders, you have other types
18 of orders also that fall under that. Right?

19 MS. DILLARD: Right.

20 MR. SRINIVASA: So it's not -- you
21 won't find out what's happened to partially
22 migrated. It may include some of the other
23 types of supplements that may be included in
24 there, too.

25 MS. CHAMBERS: Right. And it was

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1 partial migration.

2 They know that they are taking the
3 whole account or not, don't they?

4 MR. SAUDER: This is T.J. Sauder,
5 with Birch Telecom. But there's not a field
6 that you fill out. I mean, you might know on an
7 order-for-order basis, but there is no field
8 that you can report on that says you put in a
9 letter or something in for a partial migration.

10 MR. SRINIVASA: I thought you
11 identified partially migrated orders on the LSR
12 by some code or some designation.

13 MR. SAUDER: They will know when
14 that falls out to the LSC whether it's a partial
15 migration. But there is not anything in LSOR
16 that identifies --

17 MS. DILLARD: Right. If the
18 customer has identified to us that it's an
19 account, that's a converted account, just for
20 conversion, then we'll know that it's res or bus
21 or what level of disaggregation, but when it
22 comes to us, we'll see whether or not it's a
23 partially migrated account.

24 MS. BOURIANOFF: Can I make two
25 clarification questions with regard to this

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1 additional three-hour issue that we've been
2 discussing? I think AT&T's preference as Julie
3 Chambers indicated would be that that additional
4 time not be necessary because we really think
5 for electronically-submitted orders they get
6 processed within 10 or 20 minutes.

7 But I understood from what Randy or
8 Maria Dillard said earlier that they are only
9 going to add these additional three hours for
10 electronically-submitted simple residence and
11 business orders.

12 And if that's right, I think that needs
13 to be clarified in the business rule, because
14 the second paragraph of the business rule as
15 it's written currently says, "An additional
16 three hours will be allowed for FOCs to be
17 returned to CLECs."

18 So I think you need to put in a
19 clarification that the additional three hours is
20 allowed for FOCs for electronically-submitted
21 simple residence and business LSRs.

22 MR. DYSART: One clarification to
23 your clarification, I think -- (laughter) -- we
24 really, I believe, meant that to be simple res
25 and bus, UNE loops 1 to 49, less than five

1 I think we're in agreement in principle. The
2 language was a little confusing to me. And I
3 was wondering -- I think what you're trying to
4 say, or this is the concept and I just wanted to
5 make sure it was clear, is for LSRs to receive
6 electronically requiring no manual intervention
7 by the LSC.

8 If the request is received during OSS
9 hours of operation, the valid start time will be
10 when the request is received. Is that the
11 concept that we're talking about?

12 MR. DYSART: Yes.

13 MS. DILLARD: Yes.

14 MS. BOURIANOFF: Could we use that
15 kind of language instead? That's a little bit
16 more precise.

17 MR. DYSART: Sure. I don't know
18 that I can remember it. If you'll just write it
19 down, we'll put it in there.

20 MS. BOURIANOFF: Thank you.

21 MS. EMCH: This is Marsha Emch,
22 with WorldCom. I just wanted to point out
23 something interesting, looking at existing data
24 for PM No. 5 under simple res and bus. The
25 12-month average that Southwestern Bell has been

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1 hours, and simple res and bus LNP with loop,
2 less than five hours -- or LNP with loop less
3 than five hours.

4 Anything that is less than five hours
5 would include account restructure, a separate
6 disaggregation for that.

7 MS. BOURIANOFF: Well -- I mean,
8 as I started, I'm not sure AT&T said a
9 preference, but just whatever you're doing I
10 think it needs to be clarified in the business
11 rules.

12 MR. DYSART: Right. We would do
13 that.

14 MR. SRINIVASA: Why don't you do
15 that and then we can move on on this issue. We
16 have enough information.

17 MS. BOURIANOFF: And then the
18 second clarification is about the sentence that
19 Southwestern Bell inserted in the first
20 paragraph of the business rule for LSRs to
21 receive electronically requiring no manual
22 intervention by the LSC.

23 The OSS hours of operation will be used
24 in lieu of the LSC hours of operation. I think
25 that is responsive to a request that AT&T made.

1 reporting under LEX is 97.5 percent and under
2 EDI 97 percent.

3 So if that three hours is already being
4 included in these orders, they are surpassing
5 the benchmark greatly. So, I guess,
6 congratulations on your part. You're already
7 proving that you can do it without the
8 additional three hours.

9 MS. DILLARD: Well, again, that is
10 measured -- what you just read off, I believe,
11 is the Tier 2 performance on this.

12 MS. EMCH: That is the aggregate,
13 yes.

14 MS. DILLARD: If you look on this
15 on a Tier-1 basis on a per CLEC level, there may
16 be certain customers -- certain CLEC customers
17 that do a lot more of this. And so when you
18 disaggregate down to the CLEC level is where
19 we've identified that this is an issue for us,
20 and the process itself is the only reason why
21 we've asked for this additional time.

22 MS. EMCH: I don't have access
23 obviously to individual data besides our own. I
24 just wanted to point out, you are hitting this
25 on the aggregate level by a lot.

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1 MR. SRINIVASA: So the critical Z
2 allowance will not apply to this.
3 MR. DYSART: Well, again, I would
4 want to go back and take a look at it before I
5 agree to that.
6 MR. SRINIVASA: Okay.
7 MR. SAUDER: This is T.J. Sauder,
8 from Birch. Just one more point on the
9 definitions of simple versus complex orders.
10 Is there a chance that CLECs could take
11 a look at that as well, some time frame in there
12 to make sure we agree with what they are coming
13 up with to provide Staff?
14 MS. FAGAN: Well, it's my
15 understanding the source of those would be a
16 meeting.
17 MR. SAUDER: I think it's a
18 meeting on their side.
19 MS. DILLARD: Right. The meetings
20 I was referring to are internal meetings. I
21 would assume based on the discussion is that if
22 we have any differences between what we're doing
23 for resale and retail compared to what would be
24 reported for UNES, you would take exception to
25 that and that's what we're looking at.

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1 MR. SAUDER: Okay.
2 MS. FAGAN: It will be filed with
3 the Commission here.
4 MS. KNIGHT: One quick
5 clarification. On Page 16, verbal or manual
6 requests. Where it states about faxes, "The end
7 time is the actual date and time the paper fax
8 is sent to the CLEC." And is that confirmation
9 receiving the fax printout that says it was
10 successful, or just the fact that it was placed
11 on the fax?
12 MS. DILLARD: The end time is
13 based on the successful attempt to fax that back
14 to the customer. If your fax does not receive
15 it, that is not captured. We can only make our
16 attempt, and if your fax is busy or whatever,
17 but it is the confirmation that we have
18 attempted to fax that back to you.
19 MS. KNIGHT: Okay. Can we say
20 that, "successful attempt"?
21 MR. DYSART: Sure.
22 MS. DILLARD: Yeah.
23 MR. SRINIVASA: So there is
24 another one, underlined language. "If a CLEC
25 chooses to receive their FOCs via the Web site,

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1 the end time is the date and time the FOC is
2 loaded to the Web site."
3 MS. DILLARD: Yes. That's our new
4 process that went in place several -- six or
5 seven months ago, where if even a CLEC is
6 submitting orders to us manually via fax, we've
7 given them an option to receive their FOC and
8 SOC back by the CLEC Web site as a FOC/SOC Web
9 site.
10 So what we're saying there is basically
11 once that information is updated to the Web
12 site, which is basically at the time the order
13 is distributed, there's an automatic feed to the
14 Web site, and then that is placed there.
15 So we're just clarifying that that is
16 the return as opposed to a manual fax.
17 MR. SIEGEL: On 5.1, just two
18 noncontroversial things. I know Southwestern
19 Bell -- as we've been making changes to these
20 various measures, a couple of things got out of
21 sync. And so the item that Judge Srinivasa just
22 mentioned as well as the item that
23 Ms. Bourianoff mentioned about LSRs received
24 electronically and having the OSSRs in
25 operation, the language of those two sentences

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1 need to get incorporated into 5.1.
2 MS. DILLARD: Okay.
3 MR. SRINIVASA: 5.1, with the
4 clarification from Mr. Siegel of IP
5 Communications, I agree that it's mostly DSL
6 related.
7 And we can go on to a new measure
8 that's proposed here. This is 5.2. These are
9 for the ASRs.
10 MR. DYSART: Yeah. We have one
11 change on that as a result of IP's comments. We
12 would take and disaggregate unbundled dedicated
13 transport by DS1 and have that as one business
14 day. And DS3, we would still want seven
15 business days. And I think IP had said that
16 three business days in DS3.
17 MR. SRINIVASA: This is in 5.2?
18 MR. SIEGEL: It's the bullet at
19 the very end of the metric that Mr. Dysart --
20 MR. SRINIVASA: Yeah. That's --
21 now, the level of -- interconnection facilities
22 and trunks less than seven business days,
23 unbundled dedicated transport less than seven
24 business days. And you're going to have
25 additional levels of disaggregation, I think,

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1 for DS1 transport --
2 MR. DYSART: Yes. One business
3 day. And then DS3 is seven business days.
4 MR. SRINIVASA: Do you have any --
5 DS1 regardless of how many the order? Up to 12,
6 up to 15, up to 16?
7 MS. DILLARD: Well, I'm trying to
8 think. On the ASR level, I believe it's on a
9 per-DS1 basis.
10 MR. SRINIVASA: Oh, they can order
11 up to 12 DS1.
12 MS. DILLARD: One DS1 on the ASR.
13 MR. SRINIVASA: How about on the
14 interconnection trunks? They can order up to
15 12?
16 MS. DILLARD: Yes. For
17 interconnection trunks, any type of trunking
18 request on ASRs, if they can all go on one ASR,
19 that's what we're talking about. So if you're
20 ordering 96 trunks and it's on one ASR, then
21 that is the seven-business-day return.
22 The definition here from
23 interconnection facilities or interconnection
24 trunks or from DS3, for example, the purpose of
25 the extra time is because there has to be a full

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1 facility check. And that time frame takes that
2 long to get it back from our NSS and our
3 downstream departments.
4 MR. SRINIVASA: Any other
5 comments?
6 MR. SIEGEL: I don't know if we
7 need to have a full debate on the days. I think
8 if -- well, first of all, IP I think appreciates
9 that disaggregation of DS1. Now, as far as DS3,
10 our understanding of the process would not have
11 the facilities check take an additional six
12 days. And for DS3, which are commonly ordered
13 customers, I expect those in telecommunications
14 time. And I think three days seem to be a
15 reasonable time frame for us. We will need to
16 go back and look, and maybe we can make a
17 counterproposal. Right now we're still at three
18 days.
19 MR. SRINIVASA: What is involved
20 in sending a due date information when someone
21 sends in an ASR for DS3 trunk?
22 MR. NOLAND: Well, I guess that
23 information is sent over to our engineering
24 group that monitors the facilities that are
25 available, and then they in turn make a

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1 determination whether or not it's available; and
2 if so, what is available or the time frame that
3 it would be available and provide that
4 information back to the LSC.
5 MR. SRINIVASA: Is this
6 information in an electronic database, or do
7 they have to go there and look up some sort of
8 manually -- look up some data somewhere it's
9 kept?
10 MR. NOLAND: It should be captured
11 in an electronic database.
12 MS. DILLARD: For clarification
13 purposes, in the event that a customer is asking
14 for a facility and it appears that -- at first
15 glance that all facilities are taken and there's
16 nothing available, our engineers do a research,
17 of course, and look to see if there's something
18 that can be moved to other facilities to free --
19 to free others up. So that time frame is needed
20 so that they can do that analysis and make
21 changes, if at all possible. And then that is a
22 time frame that we have built into this seven
23 days, because it takes them a while to process
24 that and make changes, if necessary, and come
25 back to us.

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1 MR. SIEGEL: Howard Siegel with IP
2 Communications. It sounds like the performance
3 measure is being built around the worst type of
4 situation that would arise. Maybe what's
5 appropriate is an additional percentage to try
6 to cover where if that happens -- maybe
7 Southwestern Bell's concern is that that happens
8 6 percent of the time, and so that runs you into
9 that 5 percent.
10 Maybe we need a 90 percent within four
11 days if -- if we can work on what percentage of
12 time that situation occurs where you have to do
13 that type of rearrangement. I think our concern
14 is -- what we don't want to have happen is for
15 the prioritization for a simple DS3 to kind of
16 not have the kind of impetus to be worked on
17 because that's something you have seven days to
18 do.
19 MR. SRINIVASA: So the issue is --
20 you know, right now your position is 95 percent
21 of the DSR request through an ASR, you know, the
22 firm order confirmation will be returned within
23 seven days. What I heard Mr. Siegel say is,
24 well, if you make it 90 percent within three
25 days, is it acceptable.

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1 MS. DILLARD: We have -- I have
2 not looked at the data in that manner, and I
3 would just indicate that the process, as it is
4 designed -- our downstream departments have
5 clocked themselves, if you will -- they have
6 their own internal views on things, and we have
7 a time frame that we have requested that
8 information back from them and they have
9 committed to that. And that is between a three-
10 to five-day turnaround.

11 And so at that point, it may -- not
12 that it's worst-case, but for the most part, we
13 are receiving those back within four to five
14 days. And so it is important for us to have
15 that extra day to create the order, process it
16 and make sure everything is appropriate, which
17 would then give our seven-day FOC turnaround.

18 So the performance measure, as we've
19 designed it, is designed around the process that
20 is in place.

21 MR. SRINIVASA: See, the
22 information is already there electronically.
23 They're looking it up. Okay. The research
24 starts only in the event that you do not find
25 DS3 facilities right away for the requested

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1 location. Now, how often does that happen?

2 MR. NOLAND: We really don't have
3 the information available as to the percent of
4 time that we don't have the facilities
5 available, which would take the additional
6 checks that Maria mentioned earlier.

7 MS. DILLARD: If you'd allow us to
8 take that back, we'll take a look at it. You
9 know, right now we would stand with our
10 seven-day time frame. But based on Mr. Siegel's
11 proposal, we'll take a look at that and come
12 back to you.

13 MR. SRINIVASA: Okay. Is this
14 something where you're going to come back to us
15 by the end of this month, or when are you going
16 to --

17 MR. DYSART: By the end of this
18 week.

19 MR. SRINIVASA: By the end of this
20 week?

21 MR. SIEGEL: We'll have to work on
22 it.

23 MR. SRINIVASA: Okay.

24 MS. BOURIANOFF: Nara, can I ask a
25 question?

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1 MR. SRINIVASA: Sure.

2 MS. BOURIANOFF: Are all ASRs for
3 (inaudible) facilities sent to the LSC?
4 Michelle Bourianoff on behalf of AT&T.

5 MS. DILLARD: For interconnection,
6 yes, that's correct.

7 MS. BOURIANOFF: Okay. I mean, I
8 knew there was this IEOC, and I didn't know if
9 those were just for access.

10 MS. DILLARD: The ICOC is now
11 known as the ASEs, the access service centers.
12 They receive access service requests for
13 access-type -- access orders purchased out of
14 the access tariff. And this is interconnection,
15 and that is different.

16 MR. SRINIVASA: Okay. We're done
17 with 5.2. Next is PM-6.

18 MR. DYSART: I think we agreed to
19 6.

20 MS. FAGAN: I believe 6 has been
21 agreed to.

22 MR. SIEGEL: One last -- one last
23 time on 5.2. I don't have -- I didn't raise
24 this earlier. The truth is I didn't notice,
25 that 5.2 was just something that IP had asked a

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1 while back. I had noticed that it was being
2 proposed as a Tier 1 diagnostic, and I think
3 that's at least something we need to look at,
4 whether -- whether it should -- it should be the
5 diagnostic as opposed to having performance
6 measures penalties apply.

7 MR. SRINIVASA: Diagnostic for the
8 first three months, and then it becomes Tier 1
9 low. I believe that's what the --

10 MS. DILLARD: Yes.

11 MR. SIEGEL: Okay. I'm sorry. I
12 missed that. And it might be appropriate to
13 make it Tier 1 and Tier 2 low after the three
14 months. Maybe the --

15 MR. SRINIVASA: How is this both
16 customer- and competition-affecting? Can you
17 give me some --

18 MR. SIEGEL: Certainly. Howard
19 Siegel, IP Communications. DS3s, for example --
20 especially we talked about DSL providers --
21 become very customer-effective, because that's
22 one of the ways that we interconnect with ISPs.
23 And, for example, we had a dispute that we
24 settled with Southwestern Bell, and the
25 settlement was worked out that it was taken

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1 (inaudible) last month. The issue in there was
2 that we had ISPs that were receiving customer
3 orders that we couldn't provide DSL to because
4 we were waiting for a DS3 to be put in place to
5 connect that ISP to our network. And so it
6 becomes -- at least in the DSL environment, it
7 becomes very customer-effective because of what
8 the DS3s and DS1s are used for.

9 MR. SRINIVASA: Competition-
10 affecting means if it's not provided to you, it
11 would be hard for you to compete?

12 MR. SIEGEL: That's right.

13 MR. SRINIVASA: Do I have a
14 response from Southwestern Bell on that?

15 MS. DILLARD: Can we look at that
16 one as well?

17 MR. SRINIVASA: Okay.

18 MS. DILLARD: I hadn't thought
19 about it in the way that Mr. Siegel had just
20 explained. So we'll look at that.

21 MS. FAGAN: Moving on, I believe
22 PM-6 has been agreed to.

23 MS. CHAMBERS: This is Julie
24 Chambers, and I do understand the interest to
25 move on. But on No. 6, I just have a -- just a

1 MR. COWLISHAW: And Randy, I think
2 the last exclusion up there is one that's now no
3 longer appropriate, because I think we --

4 MR. DYSART: Right. That's true.

5 MS. FAGAN: According to our
6 notes, the next PM is PM-9. And --

7 MR. DYSART: No. We discussed
8 PM-9 a lot last time. So I don't know if
9 there's anything new to add to that.

10 MS. EMCH: This is Marsha Emch
11 with WorldCom. On PM-7.1, Southwestern Bell was
12 supposed to get back to us on what happens with
13 after-hours completions. I haven't heard that
14 answer yet. I was wondering if you have an
15 answer yet.

16 MS. DILLARD: Yes. This is Maria
17 Dillard with Southwestern Bell. The request was
18 that we were just shown in the exclusions
19 exclude weekends and holidays, and the purpose
20 of that is that the TIRK system where the
21 completion would be processed to our SORD system
22 is not operating on Saturday and Sunday.

23 So the question was posed directly that
24 if a service order was completed on Friday, for
25 example, at 6:00 p.m., when would we return the

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1 question. Under disaggregation, currently it
2 says, "mechanically received via LEX/EDI."

3 Today on Performance Measure 5, it's
4 reported by the different service levels but
5 also separately for LEX and EDI. And I just
6 wanted to clarify that this would also be
7 reported in a similar fashion.

8 MR. DYSART: I didn't think that
9 was what we had agreed -- this is Randy Dysart
10 with Southwestern Bell. I didn't think that was
11 what we agreed to the last time, since really
12 now we're looking at flow-through-type measures,
13 the things that are going to move us through the
14 process. So there shouldn't be very much
15 difference if -- really there shouldn't be any
16 difference in the process, I don't believe.

17 MR. COWLISHAW: Well, we're not
18 changing 5 on the way it's reported today.

19 MR. DYSART: Okay. Can we work
20 this deal? What if we do this diagnostic and we
21 see there's no difference, then can we combine
22 them later? I want to leave that option open.
23 But for the purpose of diagnostic period, we'll
24 do it EDI/LEX.

25 MS. CHAMBERS: Thank you.

1 SOC. And that would mean that -- the system is
2 up through normal hours of operation and into
3 the evening, as a matter of fact. So if it
4 completed at 6:00 p.m. or 7:00 p.m. measurement
5 on Friday, the 24-hour would be by 6:00 or 7:00
6 p.m. on Monday. And that was the clarification
7 we were asked to verify.

8 MS. EMCH: Thank you. I just -- I
9 see excludes the weekends and holidays. Do you
10 know how long your weekday evenings? Does that
11 go to 11:59 p.m., then, in that case, a Friday?

12 MS. CULLEN: Well -- well -- I'm
13 sorry. This is Angie Cullen with Southwestern
14 Bell. We were -- we checked with our TIRKS
15 admin people, and what they indicated was that
16 the TIRKS database does a batch update anywhere
17 from 11:30 12:00 at night. And then he said it
18 usually stays down for a minimum of one hour.

19 MS. EMCH: Okay. Thanks. That
20 clears it up.

21 MR. SRINIVASA: Eight everyone
22 agreed to. That will eliminate that.

23 And 9.

24 MR. DYSART: I think the issues on
25 9 -- I mean, I don't think we really want to go

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1 over them again. I think they're pretty well
2 clarified there, because we had a long
3 discussion, if you recall at the last meeting,
4 that it could take us into -- well into the
5 evening.

6 MR. SRINIVASA: I think we have
7 enough on the record on that.

8 9.1 is I think DSL-specific. We
9 already discussed that.

10 10, apparently I don't see any issues
11 listed under 10.

12 10.1?

13 MR. DYSART: Yeah. There were a
14 couple issues on 10.1. I think what we came
15 back with is we did some talking, and what we
16 would like to have this to do is you can
17 eliminate our disaggregation levels there. And
18 we would like, instead of 97 percent within five
19 hours, to make it 97 percent within six hours.
20 And that would account for all these different
21 levels of disaggregation where it takes longer
22 to do complex and different issues like that.
23 We just need a little more time to be able to
24 encompass all that.

25 MS. EMCH: This is Marsha Emch

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1 with WorldCom. Can you repeat what is now under
2 the levels of disaggregation?

3 MR. DYSART: Basically none.

4 MS. EMCH: I'm sorry. None?

5 MR. DYSART: None.

6 MS. DILLARD: Which is as it is
7 today.

8 MR. DYSART: Yeah. And the only
9 change, then, we would propose to make is, like
10 I said, 97 percent within six hours instead of
11 five hours.

12 MR. SRINIVASA: When you say
13 five-hour products combined, you know, wherever
14 you have FOCs that are within five hours?

15 MR. DYSART: We're saying forget
16 that.

17 MR. SRINIVASA: Oh, forget that?

18 MR. DYSART: Yeah. All that's
19 gone. And basically we'll say we'll lump
20 everything together and do it 97 percent within
21 six hours.

22 MS. EMCH: And that's with no
23 critical Z allowance?

24 MR. DYSART: I don't believe
25 that -- no. I didn't say that.

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1 (Laughter)

2 MR. DYSART: Nice try, though.

3 MS. EMCH: So you're increasing
4 the hours plus getting the Z allowance in their
5 proposal?

6 MR. DYSART: Right. This
7 measure -- you look at the history on this
8 measure, and, you know, we averaged less than --
9 this last month I think we averaged less than
10 five hours, but we're not hitting the 97
11 percent. And basically part of the issue is
12 there's a lot of different products that take 24
13 hours to FOC and different things like that that
14 are all thrown in here. So we feel like a fair
15 representation of this measure would be six
16 hours versus the five hours.

17 MS. EMCH: I'm just -- this is
18 Marsha Emch with WorldCom. I'm sorry. I'm
19 looking at 10.1, at least at the CLEC aggregate
20 level, and I'm seeing a 12-month average of 998
21 percent for LEX.

22 MS. DILLARD: I think you're
23 looking at 10.

24 MR. DYSART: You're probably at
25 10-01 and not 10.1. It gets a little confusing.

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1 MS. EMCH: I am. I apologize.
2 You're right. That average is less than the
3 benchmark.

4 MS. DILLARD: But basically for
5 10.1, what we had initially requested is that we
6 would look at this the same way we were looking
7 at FOC, so that we felt that it would take us
8 the same amount of time, or at least we would
9 like to be allocated that time frame because of
10 the complexity of certain types of services.

11 But then as we relooked at it and
12 because we were asking for moving this to 95
13 percent, and then we realized that it
14 (inaudible) impacting, and the CLECs had asked
15 that we not do that and then we didn't lower the
16 benchmark, but we keep it as it was. So what
17 we've agreed to do is keep the benchmark where
18 it is but just ask for an additional time for
19 those products that we are having -- having to
20 do more work on the screening so that we can
21 reject those activities.

22 MS. EMCH: Just a question I was
23 wondering. Have you gone back to look at the
24 data to see how Southwestern Bell's performance
25 would be with the new benchmark of 97 percent in

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1 six hours?
2 MS. DILLARD: Well, when we looked
3 at -- we could do this two ways. One, we could
4 ask for the six hours, or we would also be
5 willing to do this on an average at 97 percent.
6 And so in looking at the activity --
7 MS. EMCH: But to answer my
8 question, is it no, you did not?
9 MR. DYSART: The answer is no.
10 MS. DILLARD: No, we have not.
11 MR. SRINIVASA: Well, the reported
12 measure 10.1, you know, looking at February,
13 March, April that starts from 78.9 percent, 77.9
14 percent or 81.6 percent, you haven't made it.
15 MS. DILLARD: We have not made it,
16 that's correct.
17 MR. COWLISHAW: Nara -- Pat
18 Cowlshaw for AT&T -- I think, subject to
19 hearing from all of us, I think this is one
20 we're not going to be able to agree on. And the
21 reason, from our perspective, is these are
22 orders that fall out from manual handling
23 after -- and are not rejected back to the CLEC
24 due to regular LASR edits.
25 This goes to the issue that the

1 agree with you, the general principle you're
2 saying.
3 MS. DILLARD: Well, and certainly
4 Southwestern Bell continues to look at any edits
5 that can be moved up front. As a matter of
6 fact, with the 527 release, we've accommodated a
7 great deal of edits that were requested by the
8 CLEC. But again, many of the edits are subject
9 to change management and agreement with the
10 CLECs. So we would not want to be penalized for
11 any kind of time frame that's already embedded
12 into the change management process either.
13 Again, we have not made this measure,
14 but we do recognize that the CLECs, our
15 customers, are needing their rejects back as
16 timely as possible. And so instead of lowering
17 the benchmark to 95 percent, we agreed to keep
18 it at 97 and just ask for additional time for
19 some of those more difficult activities from the
20 screening process.
21 MS. CHAMBERS: And this is Julie
22 Chambers. Just one point. I know we've had
23 plenty of discussions about moving edits up in
24 the past, but AT&T has always been under the
25 understanding that Southwestern Bell viewed that

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1 companies have had for some time about the
2 volume of edits that have not been moved up to
3 LASR. The way we would believe to get this
4 performance within the existing 97 percent
5 within five hours would be to fix the edit
6 capabilities in LASR, and then we would have
7 fewer of these to be falling out for manual
8 handling.
9 And so we would think that relaxing the
10 benchmark is sending the wrong message in terms
11 of the incentive to move the edits into the
12 up-front edit engine. And so on that basis, I
13 think we would propose to stay with exactly
14 where the measure is today.
15 MR. SRINIVASA: So if most of the
16 edits were already up there in the LASR --
17 looking at 10.01, they were at 99.8 and 99.4
18 percent on the average. If all of these edits
19 were up there, they would have probably achieved
20 that. So if you set the --
21 MR. COWLISHAW: Keep in mind 10
22 was kind of done differently in the past, and
23 we've agreed to a change. 10 wasn't capturing
24 receipt of the LSR in the old scheme of things,
25 I think. But certainly looking at 11, yes, I

1 as something under their control, because they
2 actually control their back-end systems and
3 would have insight into what rejects are really
4 affecting all CLECs, not just a particular CLEC;
5 and, therefore, CLECs have not been driving the
6 process to request what edits move forward. It
7 is a subject of -- to be on the agenda at the
8 next change management meeting because of things
9 that we've heard at these recent meetings.
10 But Southwestern Bell has had -- and
11 actually, you know, a couple years ago indicated
12 when LASR GUI was first implemented that they
13 would be looking at and actively moving edits
14 forward. And so it is within their control.
15 MR. SRINIVASA: I think we'll make
16 a cut on this. It's in staff's hands.
17 (Laughter)
18 MR. SRINIVASA: We'll move on.
19 MR. COWLISHAW: I'm sorry, Nara.
20 We did talk about this exclusion that's up here,
21 and I don't want to talk about the merit of it
22 or if we like the exclusion. We understood what
23 was being proposed. Second bullet point. There
24 is a -- I'm just trying to understand precisely
25 what's being written here. If you'll look in

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1 the fourth line from the bottom, there's a
2 partial sentence, just the words, "manually
3 returned on mechanically submitted, period."
4 And I'm not sure what -- it looks like there's a
5 glitch in the language of the exclusion there.
6 And it had been our understanding from
7 a prior discussion that what Southwestern Bell
8 was intending here was an exclusion that related
9 to a jump in the manual reject rate, the 10.1
10 reject rate, not the more generalized reject
11 rate. And I don't know if that sentence
12 fragment was trying to capture that somewhere,
13 but I didn't really see that concept captured
14 and wanted to point out the glitch in the
15 language and see if we can get that cleaned up.
16 MR. DYSART: I'm sure that's what
17 it was trying to clarify, and we'll make it a
18 full sentence and try to add some language
19 around that.
20 MR. SRINIVASA: So this only
21 includes the universe of mechanically submitted
22 manually rejected orders?
23 MS. DILLARD: Yes.
24 MR. NOLAND: Yes.
25 MR. SRINIVASA: Did that clarify

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1 that? Does that address your issue?
2 MR. COWLISHAW: (Nods head).
3 MS. FAGAN: I think before we move
4 on, why don't we take a, say, 15-minute break.
5 MR. SRINIVASA: I think we need
6 it.
7 MS. FAGAN: We'll be back here at
8 3:40.
9 (Recess: 3:26 p.m. to 3:49 p.m.)
10 MR. SRINIVASA: Let's get back on
11 the record.
12 MS. FAGAN: I believe the next
13 performance measure up is 10.1.
14 MR. SRINIVASA: Are there two
15 10.1s? Yeah.
16 MR. DYSART: Oh, we did 10.1.
17 MR. SRINIVASA: Yeah. There's a
18 second 10.1. I think this is a DSL-specific
19 measure.
20 MR. DYSART: Right.
21 MS. FAGAN: Okay.
22 MR. SRINIVASA: We may have to
23 change that number.
24 MR. DYSART: Yeah. I think it --
25 once we see if the CLECs think this is needed,

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1 are we going to revisit this one if they
2 determined they thought they needed it? Because
3 to me, it looks a lot like the other 10.1 that
4 we have.
5 MS. DILLARD: It's already in
6 10.1.
7 MR. DYSART: 10.2?
8 MR. SRINIVASA: I think the
9 benchmarks are a little different for this.
10 MR. DYSART: Right, but I think
11 the measure measures what 10.1 currently does.
12 MR. SRINIVASA: Disaggregated for
13 DSL.
14 MR. DYSART: Right. And we've
15 agreed -- well, actually we hadn't agreed to it.
16 But we went into this earlier, so I don't want
17 to go into 10.1, since most of the DSL CLECs
18 aren't here.
19 MR. SRINIVASA: That's right.
20 MR. SIEGEL: Howard Siegel with IP
21 Communications. I can't speak for all the
22 folks. I think it was a little bit more complex
23 than that, because one thing that 10.1 -- the
24 second 10.1 was addressing was mechanized
25 rejects. And just looking at the definition

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1 that Rhythms and Covad put together, the second
2 sentence, percent rejects returned within
3 specified interval on average received in the
4 reject of LASR. So it's -- it was a combination
5 of what's in 10.1 and what's in 10 and whether
6 those two measures had covered this one. And
7 really that was a question of some other CLECs
8 than IP Communications.
9 MR. SRINIVASA: Okay. Some of the
10 others have not -- we have a representative for
11 Rhythms, but we don't have anybody from Covad.
12 MR. DRUMMOND: Eric Drummond. We
13 haven't had the opportunity to talk with the
14 Covad people with regard to this particular PM,
15 and I'm not sure if they'd feel strongly about
16 some of the specific elements, that they would
17 want to make sure that they were incorporated.
18 Rhythms can speak on behalf of -- we
19 have a subject matter expert to speak on behalf
20 of their company, but the Covad people may want
21 to have some input on this.
22 MR. SRINIVASA: Let me ask
23 Rhythms' subject matter expert. Do you think
24 that the 10.1, the other measure that we have,
25 if we -- does that capture the performance as it

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1 relates to DSL?
2 MS. SOLIS: Yes, I believe it
3 does.
4 MR. SRINIVASA: Well, I'm talking
5 about the first 10.1.
6 MS. SOLIS: Right.
7 MR. SRINIVASA: So you don't need
8 this measure?
9 MS. SOLIS: As far as Rhythms is
10 concerned, I don't think that it's necessary to
11 have the separate one.
12 MR. SRINIVASA: 10.2, it's a new
13 measure?
14 MR. DYSART: Yeah. And we --
15 there's several issues, but one thing we --
16 Southwestern Bell discussed and one modification
17 we'd like to make to hopefully address at least
18 partially one of the concerns was that instead
19 of levels of disaggregation -- instead of being
20 none, we would change that to reflect those
21 jeopardy notifications that were rejects and
22 then all others. We would counter, I guess,
23 AT&T's proposal of three categories and have it
24 two.
25 MS. FAGAN: Would AT&T like to

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1 respond?
2 MS. CHAMBERS: Yeah. Julie
3 Chambers with AT&T. I'm thinking about, Randy,
4 what you're suggesting and also thinking about
5 the impact of the current exclusion that is in
6 here. I mean -- I mean, I think that AT&T would
7 definitely not agree with the exclusion that
8 CLEC or customer-caused delays should be
9 excluded, in that it's a diagnostic measure, and
10 similar to rejects, you're trying to capture all
11 jeopardies that are received.
12 The advantage, then, of having them
13 disaggregated by the three categories that AT&T
14 proposed would be to show -- you know, the three
15 different categories, also including in there
16 facilities, which is, I think one of
17 Southwestern Bell's concerns.
18 MS. FAGAN: Well, Mr. Dysart, when
19 you included the two categories, when you said
20 all others, that would include the facilities?
21 MR. DYSART: Yes. I think we
22 could agree to the -- getting rid of the
23 exclusion; however, in our counter counter, we
24 would want to also have an -- have a
25 disaggregation for CLEC-caused.

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1 MS. CHAMBERS: And I guess, you
2 know, we were interested in trying to remove any
3 subjective nature over whether it's CLEC-caused
4 or Southwestern Bell-caused; and, therefore -- I
5 mean, is that something that Southwestern Bell
6 would just determine on an individual CLEC basis
7 with CLEC-caused?
8 MS. DILLARD: This is Maria
9 Dillard. There are specific jeopardy codes that
10 indicate when an end user is not ready or a CLEC
11 is not ready where we don't have access to
12 performance, something along those lines where
13 there are specific jeopardy codes that it's
14 beyond Southwestern Bell's control.
15 So in this measure, I believe, you
16 know, just taking it for what it's worth on
17 total jeopardy percentages, we would not want to
18 show the jeopardies that are not Southwestern
19 Bell -- where Southwestern Bell is at fault.
20 But based on what you were talking
21 about, Julie, if you want to do a disaggregation
22 to where you still capture them, then they could
23 be disaggregated so we could see what was
24 CLEC-caused versus Southwestern Bell versus
25 those that used to be rejects but are not

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1 jeopardies.
2 MR. COWLISHAW: You reference this
3 appendix, this whole list of jeopardy codes, and
4 can you take us through that and just tell us
5 which ones are the ones that would qualify for
6 the exclusion or -- I'm hoping you're not
7 intending that this whole list falls within
8 the --
9 MS. DILLARD: No. What was
10 submitted, this is all of the jeopardy codes and
11 reasons, yes. And what we can do is go through
12 the ones where we would show them as CLEC or
13 end-user-caused. Would you like me to run
14 through those, or would you like us to submit
15 those?
16 MR. SRINIVASA: "Customer not
17 ready," this 1C.
18 MS. DILLARD: 1C, 1E, 1G, 1M, 1P.
19 MR. SRINIVASA: There are several
20 1Ps.
21 MS. DILLARD: Yeah. The CFA, the
22 premises are not ready. And I'll need to
23 reference to the Accessible letter because of
24 what I -- I've marked them on my sheet -- I
25 apologize -- as to all of the ones that would be

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1 excluded. But the disaggregation for those that
2 used to be rejects versus are now jeopardies,
3 there's an Accessible letter that went out, and
4 it's CLECSS99-175. And those codes are listed
5 on there as to which ones used to be rejects
6 versus jeopardies.

7 MR. COWLISHAW: What's that
8 number?

9 UNIDENTIFIED SPEAKER: 1N as in
10 "Nancy"?

11 MS. DILLARD: CLECSS99 -- this is
12 the number of the Accessible letter -- dash 175.
13 And that was just so I could get myself
14 organized. I apologize.

15 MS. CHAMBERS: No. But by
16 referencing that Accessible letter, is 1M,
17 "requested due date is less than published
18 interval," would that not be a reject-type
19 jeopardy?

20 MS. DILLARD: Yes, it would be.

21 MS. McCALL: Cindy McCall with
22 WorldCom. What date is on that Accessible
23 letter?

24 MR. NOLAND: This is Brian Noland.
25 December 30th, 1999.

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1 MS. McCALL: Okay. Thank you.

2 MS. DILLARD: If I keep going,
3 "Invalid CFA," premises are not ready.

4 MR. SRINIVASA: Which one is --
5 carrier facility assignment, CFA?

6 MS. DILLARD: CFA.

7 MR. SRINIVASA: The premises not
8 ready. Field visit determined address not
9 invalid.

10 MS. DILLARD: Yes. And from the
11 field side, we get out there and we need
12 something else or we need driving instructions
13 or something along those lines, we would want to
14 show those as a separate CLEC-caused.

15 MS. CHAMBERS: But, I mean, for
16 example, if you take the recent, you know,
17 change in Southwestern Bell's system where
18 address is not provided, and yet we would still
19 get this jeopardy back, it's really not AT&T's
20 error CLEC-caused that Southwestern Bell needs
21 clarification on the address. I mean, this
22 comes back to the subjective nature of what's --
23 I mean, sometimes what's CLEC-caused versus not,
24 because I would not agree with that.

25 MS. DILLARD: Well, and as we look

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1 at these on a diagnostic level from the --
2 anything that's related to address, we can keep
3 those together as those that were rejects versus
4 are now jeopardies. It's really -- the ones I
5 was concerned with are the driving instructions
6 where we really don't have a way to find the
7 premise just from the address. And that happens
8 on retail side as well as on the CLEC side.

9 MR. COWLISHAW: But you're not
10 proposing the measure that's on the retail side?

11 MR. DYSART: That's correct.

12 MS. DILLARD: Right. We don't
13 have that capability of measuring on the retail
14 side.

15 MS. FETTIG: So some of these --
16 this is Eva Fettig from AT&T. Some of the 1P
17 jeopardies are customer-affecting and some are
18 not, and I guess I'm confused about how we would
19 be able to -- if this is a diagnostic measure
20 and we're keying off the jeopardies, how are we
21 going to know which ones are in which buckets?

22 MS. DILLARD: Well, I reference
23 the Accessible letter, and those would be in the
24 bucket of those that used to be rejects versus
25 are now jeopardies. And what we were just going

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1 through would be those that were CLEC-caused.

2 MS. FETTIG: But if we're pulling
3 up all of the 1P -- okay. Say, I'm pulling up
4 all of the jeopardies labeled 1P, how am I going
5 to know which ones are -- is there a further
6 code?

7 MS. DILLARD: Yes, there is. We
8 can further this out, 1P zero, zero, yes.

9 MR. DYSART: Would it be better
10 if -- to get agreement on maybe -- if we can, on
11 the levels of disaggregation and then figure
12 out -- we'll give the list of proposed ones we
13 think are under each bucket, and then maybe
14 offline we can fight about which ones are
15 supposed to -- talk about which ones are
16 appropriate and not appropriate?

17 MR. SRINIVASA: Can you do that
18 offline?

19 MS. FETTIG: Yeah. Although, on
20 our last call, we did request this and --

21 MS. DILLARD: Well, the question
22 came back, "What was included in this?" And
23 this was specifically all jeopardies as opposed
24 to just excludings, and then I indicated the
25 only exclusions we were going to show was the

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1 CLEC-caused.
2 MR. DYSART: I mean, we don't have
3 to do it if you don't want, but I thought that
4 would be a better use of our time.
5 MS. FETTIG: Oh, I definitely
6 think so. I just --
7 MR. COWLISHAW: What you were
8 suggesting is you would give us a list of the
9 jeopardy codes that you would associate,
10 Southwestern Bell, with those things that are
11 now jeopardies that used to be rejects and will
12 be reported under PM-10.2?
13 MR. DYSART: Right, under a
14 disaggregation.
15 MR. COWLISHAW: And you would give
16 us the "all other" codes.
17 MR. DYSART: And then the
18 CLEC-caused.
19 MR. COWLISHAW: And then the
20 CLEC-caused are the ones that go into the
21 exclusions?
22 MR. DYSART: Well, we -- if you
23 want it all-inclusive, then I would suggest
24 disaggregating it. And we'll take off the
25 exclusion, give you a list of those.

1 offline on what goes into each of those three
2 categories.
3 MR. DYSART: Are we okay with
4 those three levels?
5 MS. CHAMBERS: I think so at this
6 time.
7 MR. SRINIVASA: Mr. Siegel?
8 MR. SIEGEL: I wanted to go back
9 to the facilities-checked jeopardies. I want to
10 make sure I understand correctly what an example
11 of a facilities-checked jeopardy would be. If a
12 CLEC sends in their order, the systems see that
13 there's a cable pair available, so the CLEC gets
14 a FOC when they -- when Southwestern Bell goes
15 to provision or maybe a day ahead to check it
16 for poor provisioning and the cable pair is bad,
17 that would be an example of a facilities-checked
18 jeopardy?
19 MS. DILLARD: Yes.
20 MR. SIEGEL: Now, from a data --
21 from a data perspective, what will happen, a
22 data provider that is exclusively line sharing,
23 like ASI, is going to have mighty fewer
24 facilities-checked jeopardies because they're
25 using existing cable pairs that are working.

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1 MR. SRINIVASA: Just like trunking
2 measures, you know, that the report of what was
3 excluded. Similar to that, if they provide what
4 was excluded from the PM, they can give you a
5 list for diagnostic purposes.
6 Mr. Dysart? Well, you're going to
7 report the percent of orders that receive
8 Southwestern Bell-caused jeopardy notification.
9 You'll exclude the CLEC-caused from that
10 measure; but however, you will report that as a
11 separate disaggregator level, how many were
12 excluded --
13 MR. DYSART: Well, what I would
14 suggest to do is actually report three
15 percentages in this case, a percent that were
16 due to rejects, that used to be rejects, a
17 percent of all others and a percent that's
18 CLEC-caused and just show all three percentages.
19 It's diagnostic. I mean, we can --
20 MS. DILLARD: Right. We delete
21 the exclusion and then show it as a
22 disaggregation.
23 MR. SRINIVASA: As a separate --
24 okay.
25 MS. CHAMBERS: And then we'll work

1 A data provider that is doing a mixture
2 or doing a lot of stand-alone DSL loops is going
3 to hit those because they're going to be using
4 loops that aren't in -- yet in place or working,
5 and they're going to find a large percentage,
6 just by the way the system works, that aren't
7 working because they're already working.
8 In other measures what Southwestern
9 Bell has wanted to do is to try to clearly
10 distinguish between those that are facilities
11 and those that are not, because what they wanted
12 to avoid is the appearance that ASI was getting
13 favorable treatment, when maybe they weren't
14 because their business plans didn't line up.
15 And I think in this measure,
16 Southwestern Bell probably would want to
17 reconsider pulling out the facilities-checked
18 jeopardies, because otherwise there's going to
19 be a potential -- one will see as a -- we'll
20 have a dispute, and Southwestern Bell will say
21 it's a false-positive because of business
22 strategies. And the CLECs are going to come
23 back in and say, "All we know is that this is
24 the number we have, and since it wasn't
25 disaggregated, we can't tell."

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1 If you want to take that back, that's
2 fine, but I think consistent with what Ms.
3 Chapman may have argued on other measures, there
4 may be a difference of opinion on how that
5 should be done.

6 MS. DILLARD: Okay.

7 MR. NOLAND: Would that be 10.2.1?

8 MR. SIEGEL: Well, I don't know if
9 it needs to be 10.2.1. I think it would argue
10 for the disaggregation that AT&T proposed.

11 MR. DYSART: Well, let us just
12 think about it, and then we'll get with you guys
13 offline.

14 MR. SIEGEL: Okay.

15 MR. SRINIVASA: Eleven, mean time
16 to refer mechanized rejects.

17 MR. DYSART: I think we agreed to
18 that.

19 MR. SRINIVASA: Everybody agreed
20 on this. That's good. Okay.

21 MS. McCALL: 11.1 is just the same
22 thing.

23 MR. SRINIVASA: 11.1, another
24 agreement.

25 MR. DYSART: I think 11.2 will be

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1 the same on 11.2 as they were on the previous
2 10.2.

3 MR. DYSART: One other point I'd
4 like to make on the benchmark, that for New
5 York, it's a percent within a certain time
6 frame, which wouldn't be applicable to this.

7 MR. SRINIVASA: This is average.

8 MS. EMCH: It's percent within a
9 time frame, and they have the 48 hours, two
10 days, 24 hours. So you're right. I mean, if
11 you want to change it so that it becomes a
12 percent within a time frame, that's fine.

13 MR. SRINIVASA: So that would be
14 under 11 point -- the other percent --
15 percentile measure.

16 MS. EMCH: Well, 10.2 is a percent
17 of orders which receive a jeopardy status. So
18 those that have the jeopardies, there's no talk
19 about time frame. I understand 11.2 as we're --
20 or as written here, is the average notification
21 interval. And that's what we're concerned
22 about, when there is -- when an order is going
23 to be introduced to a jeopardy status, how
24 quickly does Southwestern Bell inform the CLEC.
25 And that's the measure -- if you do it a percent

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1 the same issues once 7.1 is (inaudible). We
2 can't decide on (inaudible) disaggregation to be
3 the same.

4 MR. SRINIVASA: Yeah. This is an
5 average for the same performance.

6 MS. EMCH: Except on -- this is
7 Marsha Emch with WorldCom. On 11.2, we
8 introduce a new issue, in that WorldCom
9 recommends that this be a panel T measure and
10 not diagnostic. And -- and we said Tier 1 low
11 and Tier 2 medium, which corresponds with the
12 FOC penalty.

13 MR. SRINIVASA: We don't even have
14 a benchmark. If there's a penalty -- if they
15 miss the benchmark, then we can figure out what
16 the penalty ought to be. There's no benchmark.

17 MS. EMCH: We also -- if you look
18 on issues, we also recommend a benchmark that we
19 are more than willing to discuss with the new
20 disaggregations. It's under the third bullet
21 point. We took the benchmarks from the Bell
22 Atlantic version of their jeopardies, but like I
23 say, we certainly can work with Southwestern
24 Bell under the new levels of disaggregation. I
25 just wanted to point out all the issues are not

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1 in so many hours or if you just do it on the
2 average, that's what we're concerned about
3 getting a penalty on, how quickly do they in
4 fact inform us of this jeopardy status. And
5 we're open to the percent or the average for the
6 notification.

7 MR. SRINIVASA: Well, my
8 understanding, what you're proposing is the
9 benchmark for 10.2, and maybe, you know, the 11
10 point --

11 MS. EMCH: No --

12 MR. SRINIVASA: -- 2 should be
13 diagnostic.

14 MS. EMCH: -- I don't think I am.

15 On 11.2, we're proposing a benchmark. We --

16 MR. SRINIVASA: It should be an
17 average. The measure states average
18 Southwestern Bell-caused jeopardy notification
19 interval. And --

20 MS. EMCH: And that's why I
21 thought I just said a few moments ago, we're
22 willing to work -- what we recommended here was
23 using the New York guidelines, informational.
24 What we -- you know, we could certainly get rid
25 of the hundred percent notification and just use

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1 an interval. That's fine. Within the --
2 obviously if you look at our disaggregations, we
3 divide it by facilities, without facilities and
4 interconnection trunks. We're talking about
5 different levels of disaggregation here, rejects
6 that used to -- or jeopardies that used to be
7 rejects, all others, and CLEC-caused.

8 So I'm recognizing that we would have
9 to work with Southwestern Bell to work within
10 the parameters of the Texas measure, i.e., we
11 also have to change our benchmark proposals.
12 Off the top of my head, maybe just cut off the
13 hundred percent, it just becomes, you know,
14 notify within 24 hours or -- we're willing to
15 work on that.

16 My point was just trying to say that
17 this is an issue. We do believe there should be
18 a benchmark. It should be a penalty if the
19 benchmark is missed.

20 MR. SRINIVASA: So let me
21 understand this. In order to -- a hundred
22 percent -- if there were a hundred orders, each
23 one could be 24 hours, and then the average
24 would be 24 hours? They will still -- due date
25 for facilities-type of jeopardy notification.

1 to have damages on this currently, then we
2 obviously are not agreeable to that.
3 MS. EMCH: I know on a previous
4 measure, we had agreed to collect data for three
5 months. And then at that point in time, I think
6 there was the ASR FOC Measure 5.2, I think it
7 was. We'd be willing to collect data for three
8 months and then make it a Tier 1 low and Tier 2
9 medium.

10 MS. DILLARD: This is Maria
11 Dillard. There were a couple of meetings ago
12 and on a couple conference calls I thought that
13 if Southwestern Bell would agree to even go to
14 and start looking at a jeopardy measure or
15 jeopardy measures, I thought we had agreement
16 that everyone agreed that would be diagnostic.
17 And so that's the reason we did come forward
18 with a couple of jeopardy measures where
19 initially we really didn't feel like there was a
20 need to do that.

21 So from our standpoint, we were looking
22 at these as diagnostic, and that's the reason we
23 went ahead and proposed them. We thought we had
24 agreement.

25 MR. SRINIVASA: See, if they

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1 Right? So an average would be a 24-hour
2 average?

3 MS. EMCH: I -- off the top of my
4 head, I don't know exactly what we would
5 recommend if we're taking the benchmark. As we
6 had it a hundred percent, 24 hours, maybe we
7 propose, I don't know, 12 hours, 16 hours. 24
8 is fine.

9 MR. COWLISHAW: You want it bigger
10 than 24 hours, not less than.

11 MS. EMCH: What I'm saying --

12 MR. COWLISHAW: -- (overlapping)
13 have advance notice of the jeopardy. You want
14 the number to be bigger rather than smaller.

15 MS. EMCH: I'm sorry. You're
16 right. I went the wrong way. Unless it's 12
17 and 16, you're right. It would be 24, 36, 48.
18 I apologize. I was thinking of something else,
19 obviously.

20 MR. DYSART: Well, our position is
21 that we have absolutely no data on this today.
22 Some of the other -- the way we'd addressed
23 other issues was to collect data and mix the
24 six-month review to determine the benchmark. So
25 if we come out with benchmarks, and we're going

1 missed the due date because it was a jeopardy,
2 they are going to pay damages for missed due
3 dates. Right?

4 MS. DILLARD: That's correct.

5 MR. SRINIVASA: For the same bad
6 performance delivered to you, do they have to
7 pay under two different measures?

8 MS. EMCH: This is Marcia with
9 WorldCom. My concern is that when we get a firm
10 order confirmation, we're allowed to go -- we
11 tell our customers that is what -- when it's
12 going to be. If you're missing that, we should
13 at least be allowed to have some kind of an
14 advance notice to tell our customers.

15 Our customers are going to be upset for
16 a missed due date and for not telling them ahead
17 of time that they need to be home, if they had
18 to physically be there for the -- you know, for
19 Southwestern Bell to come or do provisioning or
20 that they were going to get their service on a
21 certain day, and now we don't let them know
22 that --

23 MR. SRINIVASA: So you take it
24 twice?

25 MS. EMCH: I'm sorry?

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1 MR. SRINIVASA: You missed it, and
2 then you didn't notify us. I hit you once and I
3 hit you again because you missed it, for the
4 same bad performance just because they didn't
5 notify. Of course, if they didn't notify you
6 and they missed the due date, they are paying
7 for you for missed due dates already. So on top
8 of that, you're saying that you didn't notify
9 me, you'll pay again for that same bad
10 performance?

11 MR. WAKEFIELD: Jason Wakefield
12 with WorldCom. There's actually two bad acts,
13 if you want to look at it that way, or missed
14 acts. It's an output, you know, an intent to
15 it. One is the missed due date. I mean, if --
16 even if we receive a jeopardy timely, then if
17 there's a missed due date, then there is a harm
18 to the customer, and they're penalized for the
19 missed due date.

20 But if we don't receive a timely
21 jeopardy and there's a missed due date, then
22 there's two harms. One is the customer has a
23 missed due date. So they don't get the service
24 when they wanted it to. And the other thing is
25 they may have been sitting at home. They may

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1 have made plans. They don't have advance
2 notification that they're going to have the
3 missed due date. So it does a second harm. So
4 we would view it as having two harms to the
5 customer; and, thus, the two measurements would
6 penalize the two different harms.

7 MR. SRINIVASA: Can I have a
8 response from Southwestern Bell?

9 MR. DYSART: Well, obviously I
10 believe that it does penalize twice. I mean,
11 our customers, we react no differently to your
12 installations than we do our own. The process
13 is the same. It's the same technicians that go
14 out and do the work. So actually the process is
15 in parity.

16 And really what we're asking for here
17 is to look at this measurement for six months,
18 gather the data, and then we can make an
19 informed assessment of what to set a benchmark
20 at, if it's appropriate, and we could handle
21 that at the next six-month review. There's no
22 need to rush right in and set a benchmark,
23 something that may or may not be achievable
24 based on absolutely no data at all.

25 MR. SRINIVASA: How about the

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1 other proposal that you're going to look at, the
2 data for three months like we did for 5.2?

3 MR. DYSART: Well, I would still
4 for this one like to look at six months of data.

5 MR. SRINIVASA: The reason
6 being --

7 MR. DYSART: Well, the reason --

8 MR. SRINIVASA: -- because it's
9 not adequate to come up with --

10 MR. DYSART: Well, I mean, I
11 haven't seen any volumes. I pretty much know
12 kind of what happens on an FOC. So we have some
13 sort of basis for FOC. We haven't been
14 returning any jeopardies -- or we haven't been
15 collecting any data on jeopardies. So it's a
16 little bit different situation.

17 MS. EMCH: I was just going to
18 say -- this is Marcia with WorldCom -- maybe it
19 applies to those -- those all other
20 disaggregated jeopardies or maybe the CLEC
21 customer-caused ones. But I thought in January
22 of this year those -- those orders which were
23 previously known as rejects are now jeopardies.
24 So there would be data -- I mean, we should have
25 six months of data already, at least on those --

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1 that one level of disaggregation that we're
2 talking about, those jeopardies which were
3 formerly rejects. We have six months of data on
4 them. Previously they were counted as rejects
5 and were being -- the notifications were being
6 penalized on as a -- I don't recall what the
7 Tier 1 or Tier 2 damages are.

8 So if WorldCom agrees that, yes, maybe
9 you need three months of data to look at for
10 those all others and the CLEC menus are -- that
11 logic doesn't seem to apply for those jeopardies
12 which were formerly rejects which Southwestern
13 Bell chose on their own to switch over to
14 jeopardies in January.

15 MR. DYSART: Well, just because we
16 code it back to you-all as a reject doesn't mean
17 that I have to be paying it. I mean, I think we
18 need to make that clear. I don't know that I
19 can get data back from January on this that you
20 actually collect where I can capture it. May be
21 able to, may not. I don't know that.

22 So there's a difference there. Just
23 because -- you've been getting rejects for quite
24 a while on a lot of different -- or jeopardies
25 on a lot of different things. That doesn't

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1 necessarily mean I can go back in time and get a
2 report and pull that data out. There's a chance
3 I can, chance I can't. I really don't know the
4 answer to that.

5 MS. FETTIG: This is Eva Fettig
6 from AT&T. I mean, one thing I think is
7 important here is that when we send over an
8 order and say there's a facility problem or the
9 framed due time can't be met, you're going to
10 send us a jeopardy, and you call us and tell us,
11 "Look, we can't meet that time, but we can meet
12 this one" or we supp the order. And so then
13 you're not going to get -- that's not going to
14 get -- that particular order is not going to get
15 captured in the missed due date performance
16 measure, because we've supped the order for the
17 new time or for the new date.

18 MR. DYSART: Well, are you talking
19 about a coordinated hotcut, or what are you
20 talking about?

21 MS. FETTIG: I'm saying I've got
22 a -- like, I mean, we've got a variety of
23 examples of where we get a jeopardy and then we
24 supp the order.

25 MS. DILLARD: Well, if you're

1 MS. CHAMBERS: But it's not
2 necessarily just up to us. It's up to
3 scheduling with your customer and making sure
4 that they can be there, perhaps, for
5 Southwestern Bell. I mean, there are -- there
6 are situations where regardless of the cause,
7 there will be a need to supp the order and
8 change the due date. So I just didn't want the
9 broad statement that it will be captured in
10 missed due dates to be misleading. It doesn't
11 capture everything. I think it will capture
12 some of these instances, but that's where
13 having --

14 MS. DILLARD: Well, this is --

15 MS. CHAMBERS: -- you know, this
16 measure would be an incentive --

17 MS. DILLARD: What we're looking
18 at here is average SWBT-caused notification
19 interval and the jeopardy response. We don't
20 know what a good average would be. We don't
21 have data. In some instances, it may be that
22 when the technician goes out to install the
23 service, there's a reason at that point in time.
24 So we would not be able to ever give 24-hour
25 notice that there's going to be a jeopardy on

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1 receiving a jeopardy, it would be captured here.
2 If you're sending a supp to us before we've
3 FOCed the order -- I mean, if we call you and
4 indicate we can't meet that due date because of
5 coordinated hotcut time frame, you wouldn't
6 receive a jeopardy on that. You'd receive an
7 FOC. So I'm not sure what --

8 MS. CHAMBERS: And actually, I
9 think -- the point is that we would -- it would
10 be captured here as a jeopardy, but the logic
11 behind that it would also be shown as a missed
12 due date is not always applicable, in that some
13 of these jeopardies drive subsequent order
14 activity, which would move out the due date. So
15 it actually would be an incentive for
16 Southwestern Bell to provide notification sooner
17 to CLECs in order for us to then try to prevent
18 our customers from actually having a missed due
19 date.

20 MR. DYSART: That only happens on
21 customer-caused. If we'd send you a jeopardy
22 back and we don't have facilities, we shouldn't
23 be asking you to change the due date. If you
24 decide to do that, that's up to you. But we --
25 that's a miss.

1 that particular problem.

2 So at this point, we don't even know
3 what average to go with, and we really feel like
4 that it's going to take some analysis, some
5 viewing of this, some data to sit down and
6 figure out what is a good average, because in
7 all instances, 24 hours will probably not be
8 probable. We can't do that on everything. And
9 so we'll need to sit down, I think again with
10 the CLECs, to talk these things through as to
11 what we're finding on root cause on what is a
12 good response time.

13 MR. SRINIVASA: Mr. Siegel?

14 MR. SIEGEL: Just two little minor
15 things. One is less minor. The concern of
16 being double hit for the same measure would
17 probably be more applicable if we were talking
18 about 10.2 where the CLECs haven't requested
19 penalties on, because that's a percentage of
20 jeopardies, and it's not measuring, "Did you
21 give it to me earlier?"

22 But one thing that can be done, at
23 least for line sharing, is line sharing orders
24 can be disaggregated, and there could be a
25 parity comparison with ASI. And then that

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1 doesn't have to be diagnostic. And that's what
2 we've done on a number of measures already.
3 MS. DILLARD: Okay. In addition
4 to that, I guess when you look at the fact that
5 the customers -- the CLECs have asked us to no
6 longer do rejects after FOC, we're now being --
7 we're going to be penalized in this measure in a
8 different way if we do this immediately. We
9 just don't know what the data is going to show,
10 and I really feel like we need that time to do
11 that and to sit back down with the CLECs and
12 talk about what that average is going to be.

13 To the line sharing comment, I'm not
14 sure if that's going to be apples to apples or
15 not. I mean, it's parity, according to what
16 Mr. Siegel is saying, but we're not looking at a
17 disaggregation.

18 MR. COWLISHAW: Timeliness of
19 return of what were rejects is something that
20 was subject to penalty under the existing
21 scheme. The impact of moving it into the
22 jeopardy category has been to exculpate
23 Southwestern Bell from any potential damage
24 under the way this is being proposed. So we've
25 got that one flipped in the last statement. And

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1 there really -- there's not a reason not to
2 treat that category of jeopardies if you were
3 just looking at it on what was happening under
4 the existing system under damages.

5 I think our -- we can -- we can -- I
6 think the point we were trying to make is that
7 in the real world, once we get these jeopardy
8 notifications, the purpose is to allow us to
9 communicate with the customer. Once you
10 communicate with the customer, there are going
11 to be times when the customer is going to say,
12 "Move the due date."

13 And the suggestion was made that
14 they're going to get hit. Well, they're not
15 going to get hit under the missed due date
16 measure in that circumstance, and that's
17 certainly something that if we don't do
18 anything, if we supp the order and the -- a new
19 due date goes into place, when the order is
20 going to be completed, it's always been my
21 understanding it would be against a new supp due
22 date. And that's a decision that the customer
23 imposes on us once we get the jeopardy.

24 Now, it may be that that's something
25 that certainly we should look at as we begin to

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1 collect data on the jeopardy, because what we
2 may see is not double penalization that needs to
3 be avoided and tells us don't put any -- don't
4 put any benchmark and don't put any damages on
5 the jeopardy.

6 We might see just the opposite, that
7 some things that -- that one would have thought
8 were going into the missed due date category are
9 really not because of the need for
10 supplementation.

11 MR. DYSART: Well, a couple
12 things, I think, to those points is you don't
13 have to supplement the order to get a new due
14 date. If we say there's no facilities, we
15 negotiate a due date, and that's the date you
16 give your customer. You don't have to
17 supplement that due date. At least that's our
18 understanding the way the process works.

19 MR. COWLISHAW: That's a
20 facilities.

21 MR. DYSART: Right. And these
22 other issues that -- if there's a customer
23 problem, then it's -- we shouldn't miss the due
24 date because of that. If it's a customer or a
25 CLEC-caused problem, we shouldn't miss the due

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1 date. For these other issues --

2 MR. SRINIVASA: Even if the order
3 got cancelled because you notified them too late
4 of the jeopardy situation and the customer got
5 mad and cancelled it, you're still going to --
6 they're going to take a hit as a missed due date
7 for that. Right?

8 MR. COWLISHAW: No. Nothing goes
9 into missed due date unless the order is
10 completed.

11 MS. DILLARD: Once the order
12 completes.

13 MR. SRINIVASA: If it cancelled --
14 I thought --
15 (Simultaneous discussion)

16 MR. DYSART: Yeah. There's still
17 that proposal. That's an issue that's still
18 under debate. That's still out there. There is
19 a measurement, number of cancels. And it may --
20 may or may not be -- that may be one for y'all
21 to decide again.

22 But I think -- all we're trying to do
23 here is get six months of data that we can look
24 at and see whether or not 24 hours is
25 appropriate, 12 hours is appropriate. Maybe

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1 there's different categories that are
2 appropriate. We're debating a lot of issues
3 that I think with some data, we would have some
4 information to make an informed decision.

5 MR. SRINIVASA: Can you provide
6 us -- we're not going to set the benchmark at
7 this point in time. Can you provide us the data
8 on a monthly basis?

9 MR. DYSART: Yes.

10 MR. SRINIVASA: If -- based on the
11 information that we get, if we decide that three
12 month -- you know, we have adequate data to
13 determine a benchmark, we may take a position
14 that we need to regroup and then challenge the
15 benchmark. If we think that the data that you
16 provide us is not adequate, then maybe we may
17 say that on a month-to-month basis we'll extend
18 it up to six months.

19 MR. DYSART: We'll leave it in
20 your capable hands.

21 MS. BOURIANOFF: Nara, departing
22 from the benchmark issue or, you know, the
23 penalty issue, I have some questions about the
24 way the business rule itself is written, and I
25 was just wondering if we can go through those.

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1 First of all, the definition in the
2 business rule on the calculation talks about
3 orders. Is that ordering, or is it really LSRs
4 or ASR?

5 MS. DILLARD: Once the LSR is
6 turned into orders downstream, we're talking
7 about orders.

8 MS. BOURIANOFF: In some places in
9 the definition, you're talking about a CLEC
10 indicating an order received electronically be a
11 LEX/EDI. I assume that's an LSR in that
12 instance. In other places you use the word
13 "order," and I think you probably do mean
14 downstream orders. And there's ambiguity
15 throughout these business rules about LSRs or
16 orders, and I think we ought to be clear.

17 MS. DILLARD: Okay.

18 MS. BOURIANOFF: The second
19 question I have is the business rule talks about
20 uncoordinated orders and coordinated orders, and
21 I wasn't clear what y'all meant by uncoordinated
22 and coordinated orders.

23 MR. DYSART: Well, I think an
24 uncoordinated, it would be an order like new
25 connect. An uncoordinated order, I guess, not

1 coordinated. But that's what Mr. Siegel was
2 wanting to say, I think.

3 But I'm assuming that would be
4 something like a new order, where a coordinated
5 order is -- we're trying to differentiate it
6 like a framed due time or a coordinated hotcut
7 where you actually get a specific date and time.
8 It's kind of --

9 MS. BOURIANOFF: I mean, with
10 regards to coordinated orders, do you mean
11 coordinate conversions specifically and only
12 coordinated conversions?

13 MS. DILLARD: Right, because
14 you've been provided a specific time.

15 MS. BOURIANOFF: Right. I just
16 didn't know if there was any other situation
17 that might not be specifically referred to as a
18 coordinated conversion where there was
19 coordination involved.

20 MS. DILLARD: No. What we're
21 trying to say here is that we can't put a
22 time -- time on any of these orders except for
23 5:00 p.m.

24 MS. BOURIANOFF: Okay. I guess I
25 would just -- maybe we can -- what you're really

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1 talking about is with regards to coordinated
2 conversions.

3 MR. DYSART: CHC and FDT.

4 THE REPORTER: What?

5 MR. DYSART: CHC and FDT.

6 MS. BOURIANOFF: The framed due
7 time is what's going to be used -- right? -- in
8 those instances?

9 MR. DYSART: Correct.

10 MS. BOURIANOFF: And you're
11 talking about for everything else, you're going
12 to use 5:00 p.m?

13 MR. DYSART: Correct.

14 MS. BOURIANOFF: And maybe we can
15 just clarify that so we don't have wandering
16 around new coordinated and uncoordinated orders.
17 And then the third question is, you say the
18 jeopardy date and time will be the actual date
19 and time that SWBT issues a notice to the CLEC
20 indicating an order is in jeopardy of missing
21 the due date. Is that when SWBT sends the
22 jeopardy? Is that when the CLEC receives the
23 jeopardy? What exactly is the time that you're
24 using?

25 MR. SRINIVASA: Are you going to

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1 fax it or are you going to post it on the Web
2 site or how does it -- what is the notification?
3 MR. DYSART: It would be the same
4 time -- the similar time than what's done in
5 rejects.

6 MS. DILLARD: Reject or FOC.

7 MS. BOURIANOFF: I mean, the FOC
8 measure talks about what is available to the
9 CLEC. Is that the same language that you want
10 to use in the jeopardy contact, that the end
11 date and time is when the jeopardy is made
12 available to the CLEC?

13 MS. DILLARD: Yes, because what
14 we're talking about is a jeopardy coming back to
15 you through LASR. So whatever -- that same
16 language would apply.

17 MR. DYSART: What if we just add
18 on the end of that, "and available for the
19 CLEC"?

20 MS. BOURIANOFF: I think that's
21 fine.

22 MR. SRINIVASA: I think PM-12,
23 mechanized USOC provisioning accuracy, USOC has
24 been added. We used to have mechanized
25 provisioning accuracy.

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1 MR. DYSART: Correct.

2 MR. DYSART: Well, I think we've
3 outlined the issues below. I had one action
4 item to identify whether customized routing or
5 AIN triggers can be captured. I'm almost
6 positive they can't. Have we found a way to do
7 that yet?

8 MR. SRINIVASA: Is there a USOC
9 code for customized routing and AIN trigger?

10 MR. DYSART: I don't believe there
11 is.

12 MS. CHAMBERS: Julie Chambers with
13 AT&T. There is a fed that's put on the order
14 for customized routing.

15 MR. DYSART: Right, but this is
16 capturing it at a USOC the way it's billed, and
17 that's an issue. So I don't know that we can do
18 that. We're investigating -- continuing to
19 investigate it, but at this point it doesn't
20 look promising. So I didn't want to lead you
21 down a road where you think it will be
22 happening. I mean, obviously Birch had some
23 issues with this one, as did AT&T.

24 MR. SAUDER: Yeah. This is T.J.
25 Sauder with Birch. This measurement is

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1 currently missing a lot of the provisioning
2 accuracy of what CLECs actually enter on LSRs.
3 By taking USOCs on SORD orders, it is missing
4 the step in a large portion of the time when
5 orders are manually entered by the LSC or things
6 change from what the LSR -- what the CLEC
7 ordered and what makes it onto the SORD service
8 order. So this measurement actually measures
9 what they are retyping on the SORD order to what
10 gets provisioned in the billing system. And
11 that is actually missing what the CLEC actually
12 ordered.

13 We've done a study of orders of LSRs
14 that fell out for manual handling and finding a
15 large number in the 25 -- 20 to 25 percent range
16 of errors that the LSC, when they retype our
17 orders, are introducing. And we feel that these
18 errors that we found are not being caught in the
19 trouble -- the I-10 measurement.

20 Examples are PICC -- entering in the
21 wrong PICC, so it actually ends up looking like
22 Birch slammed the customer. That is not
23 captured in here, and it takes -- it usually
24 takes the customer longer than ten days to
25 realize that they've been slammed.

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1 Also we have extra features added on to
2 lines that Birch gets billed for, but we're not
3 passing that charge on to our customer. And
4 just the opposite, there's services that we've
5 put on the LSR that they don't put on the SORD
6 order that are -- so we're passing this charge
7 on to our customer, but we're not getting billed
8 for it and they don't have the service. And all
9 these are not adequately reported under the
10 trouble measurement.

11 MS. DILLARD: This is Maria
12 Dillard. Have you provided that information to
13 your account manager?

14 MR. SAUDER: We've worked through
15 this -- we actually are working with -- we did
16 an initial measurement, and we are currently
17 working a joint quality with LSC. And we're
18 actually finding higher error percentages in
19 this latest study that we're doing. So we are
20 working -- we understand the quality of
21 reentering in orders, but we also feel that it's
22 not adequately reflected in the performance
23 measurements.

24 So what we're proposing to do is not
25 compare what we put on the -- what gets put on